

HOUSE OF REPRESENTATIVES.

MONDAY, April 8, 1918.

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

By Thy Grace, O God, who lives and reigns above us; by the vast and illimitable space around us; by the myriads of worlds which fill it and declare Thy glory; by the earth's great luminary which fills it with light and quickens all life to new activities, joy, and gladness; by the love that binds us together in families and nations, makes statesmen and patriots; by the high ideals which move men to action; by the hope that cheers them on their way; by the devout of every age, the prophets, seers, and martyrs; by the precepts and incomparable life and character of the Master; by the hopes of yon bright heaven, may we be inspired to unboundless faith in the eternal verities and quickened into faithful and fruitful servants to Thee, our God and our Father. Amen.

The Journal of the proceedings of Saturday was read and approved.

HOMING PIGEONS IN THE UNITED STATES.

Mr. DENT. Mr. Speaker, I call up the bill S. 3980.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

An act (S. 3980) to prevent interference with the use of homing pigeons by the United States, to provide a penalty for such interference, and for other purposes.

Be it enacted, etc., That it be, and it hereby is, declared to be unlawful to entrap, capture, shoot, kill, possess, or in any way detain an Antwerp, or homing pigeon, commonly called carrier pigeon, which is owned by the United States or bears a band owned and issued by the United States having thereon the letters "U. S. A." or "U. S. N." and a serial number.

SEC. 2. That the possession or detention of any pigeon described in section 1 of this act by any person or persons in any loft, house, cage, building, or structure in the ownership or under the control of such person or persons without giving immediate notice by registered mail to the nearest military authorities, shall be prima facie evidence of a violation of this act.

SEC. 3. That any person violating the provisions of this act shall, upon conviction, be punished by a fine of not more than \$100, or by imprisonment for not more than six months, or by both such fine and imprisonment.

Mr. DENT. Mr. Speaker, under the rule which the House adopted last Saturday there are 15 bills on the calendar that the Committee on Military Affairs would like to have disposed of, and every one of those bills has the approval of the War Department and every one has a unanimous report from the Committee on Military Affairs of the House, except one on which a member reserved the right to object to offer an amendment. That bill, after a consultation with the gentleman from California [Mr. KAHN], the ranking minority member, we have put at the foot of the list, and I do hope that the House will be patient with the Committee on Military Affairs to-day and let us pass these bills, which have the approval of the War Department and the Committee on Military Affairs. Unless some gentleman desires to discuss this question, I desire to move the previous question on the passage of this bill.

Mr. CANNON. Will the gentleman yield?

Mr. DENT. I will yield to the gentleman.

Mr. CANNON. I have just glanced at the bill. I do not know much about carrier pigeons. I see they use the term "homing pigeons."

Mr. DENT. Commonly known as carrier pigeons.

Mr. CANNON. I see it is declared to be unlawful to entrap, capture, shoot, kill, possess, or in any way detain an Antwerp or homing pigeon. I have just glanced hastily through it, and it seems to me it should be "knowingly." You could hardly say it was unlawful if I were to kill a homing pigeon—and I never did kill a pigeon in my life. I would not know if it were a canvasback or a homing pigeon—

Mr. DENT. Well, if the gentleman reads a little further he will find that the pigeon will have to have the earmark, or "U. S. A." or "U. S. N.," showing it belongs to the Government. It is the only pigeon the Government uses.

Mr. CANNON. Suppose you shoot one unknowingly that had "U. S. N." on it.

Mr. DENT. Oh, I would not object to the word "knowingly" going in there.

Mr. CANNON. It seems to me it should go everywhere.

Mr. WALDOW. Will the gentleman yield?

Mr. GARNER. Insert after the word "to," in line 3, the word "knowingly."

Mr. DENT. I ask unanimous consent for the amendment suggested by the gentleman.

The SPEAKER. The gentleman from Alabama asks unanimous consent to insert the word "knowingly," line 3, after the second word "to." Is there objection?

Mr. WALDOW. Mr. Speaker, reserving the right to object, does not the gentleman believe that in section 2 that is taken care of, that section 2 takes care of what the gentleman has in mind by the mere fact you notify the authorities you have that pigeon in your possession.

Mr. DENT. Well—

Mr. CANNON. Suppose he has killed it.

Mr. DENT. If the gentleman will let me answer the question that the gentleman asked, section 2 is a section in reference to a rule of prima facie evidence in cases of this kind. It does not declare the crime. I have no objection to the amendment.

The SPEAKER. Is there objection to the insertion of the word "knowingly" as designated? [After a pause.] The Chair hears none. The Clerk will report the committee amendment.

The Clerk read as follows:

On page 2, line 4, after the word "military," insert the words "or naval."

Mr. DENT. I move the previous question on the bill and amendments.

The question was taken, and the previous question was ordered.

The SPEAKER. The question is on agreeing to the amendments.

The question was taken, and the amendments were agreed to. The bill as amended was ordered to be read the third time, was read the third time, and passed.

On motion of Mr. DENT, a motion to reconsider the vote by which the bill was passed was laid on the table.

AMENDMENT TO SECTION 1342, REVISED STATUTES.

Mr. DENT. Mr. Speaker, I call up the bill H. R. 9570.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

A bill (H. R. 9570) to amend articles 52 and 53 of section 1342 of the Revised Statutes, as amended by an act entitled "An act making appropriations for the support of the Army for the fiscal year ending June 30, 1917, and for other purposes," approved August 29, 1916, and for other purposes.

Be it enacted, etc., That articles 52 and 53 of section 1342 of the Revised Statutes of the United States, as amended by an act entitled "An act making appropriations for the support of the Army for the fiscal year ending June 30, 1917, and for other purposes," approved August 29, 1916, be, and the same are hereby, amended to read as follows:

"ART. 52. Suspension of sentences: The authority competent to order the execution of the sentence of a court-martial may suspend the execution, in whole or in part, of such sentences as do not extend to death or to the dismissal of an officer, and may restore the person under sentence to duty during such suspension. A sentence, or any part thereof, which has been so suspended may be remitted, in whole or in part, by the officer who suspended the same, by his successor in office, or by any officer exercising appropriate court-martial jurisdiction over the command in which the person under sentence may be serving at the time. The same authority may vacate the order of suspension at any time and order the execution of the sentence or the suspended part thereof in so far as the same shall not have been previously remitted. The death or honorable discharge of a person under suspended sentence shall operate as a complete remission of any unexecuted or unremitted part of such sentence.

"ART. 53. Execution or remission—Confinement in disciplinary barracks: When a sentence of dishonorable discharge has been suspended until the soldier's release from confinement, the execution or remission of any part of his sentence shall, if the soldier be confined in the United States Disciplinary Barracks, or any branch thereof, be directed by the Secretary of War."

Mr. MADDEN. Will the gentleman yield?

Mr. DENT. I will yield to the gentleman.

Mr. MADDEN. I want to ask if this bill is intended simply to authorize the commanding officer in a case where a court-martial has taken place inflicting a punishment less than death to suspend sentence and restore the convicted man to duty pending the execution of the sentence?

Mr. DENT. Well, in all cases except the death penalty and dismissal from the service. Those are the only two exceptions.

Mr. MADDEN. In other words, it is intended to utilize the service of men pending the execution of sentence?

Mr. DENT. It gives a man who has committed some slight, trivial offense, probably staid out his leave a little too long, an opportunity to get back into service and be restored thereto.

The bill was ordered to be engrossed and read the third time, was read the third time, and passed.

On motion of Mr. DENT, a motion to reconsider the vote by which the bill was passed was laid on the table.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Waldorf, its enrolling clerk, announced that the Senate had passed bills of the fol-

lowing titles, in which the concurrence of the House of Representatives was requested:

S. 3911. An act authorizing national banks to subscribe to the American National Red Cross; and

S. 3475. An act to prescribe to the requisite form or proof of death under policies or contracts of insurance covering the lives of persons in or serving with or attached to the military forces of the United States, and for other purposes.

LEAVE OF ABSENCE.

Mr. McCLINTIC, by unanimous consent, was granted leave of absence indefinitely, on account of making liberty loan speeches.

SIX MONTHS' PAY TO DEPENDENT RELATIVES OF DECEASED OFFICERS OR ENLISTED MEN.

Mr. DENT. Mr. Speaker, I call up the bill S. 3736.

The SPEAKER. The gentleman from Alabama calls up the bill S. 3736, which the Clerk will report.

The Clerk read as follows:

An act (S. 3736) to provide for the payment of six months' pay to the widow, children, or other designated dependent relative of any officer or enlisted man of the Regular Army whose death results from wounds or disease not the result of his own misconduct.

Be it enacted, etc., That hereafter, immediately upon official notification of the death from wounds or disease, not the result of his own misconduct, of any officer or enlisted man on the active list of the Regular Army, or on the retired list when on active duty, from and after October 6, 1917, the Quartermaster General of the Army shall cause to be paid to the widow, and if there be no widow to the child or children, and if there be no widow or child to any other dependent relative of such officer or enlisted man previously designated by him, an amount equal to six months' pay at the rate received by such officer or enlisted man at the date of his death. The Secretary of War shall establish regulations requiring each officer and enlisted man having no wife or child to designate the proper dependent relative to whom this amount shall be paid in case of his death. Said amount shall be paid from funds appropriated for the pay of the Army.

SEC. 2. That nothing in this act or in other existing legislation shall be construed as making the provisions of this act applicable to officers or enlisted men of any forces or troops of the Army of the United States other than those of the Regular Army, and nothing in this act shall be construed to apply in commissioned grades to any officers except those holding permanent or provisional appointments in the Regular Army.

Also the following committee amendments were read:

Page 1, line 6, after the word "Army," insert the following: "or on the retired list when on active duty."

At the end of the bill insert a new section, as follows:

"SEC. 3. That the sum received hereunder shall be deducted from any amount that may be, or may become, due and payable to any such widow, child, children, or dependent relative of such officer or enlisted man under the act entitled 'An act to amend an act entitled "An act to authorize the establishment of a Bureau of War Risk Insurance in the Treasury Department," approved September 2, 1914, and for other purposes," approved October 6, 1917, or any act or acts amendatory thereof."

The SPEAKER. This bill is on the Union Calendar.

Mr. DENT. Mr. Speaker, I ask unanimous consent that the bill may be considered in the House as in the Committee of the Whole.

The SPEAKER. The gentleman from Alabama asks unanimous consent that the bill be considered in the House as in the Committee of the Whole. Is there objection?

Mr. DYER. Will the gentleman yield?

Mr. STAFFORD. I think this is a very important bill and should receive some consideration in the Committee of the Whole, and therefore I object.

Mr. DENT. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill S. 3736.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill S. 3736, with Mr. BURNETT in the chair.

The CHAIRMAN. The Clerk will report the bill by title.

The Clerk read as follows:

An act (S. 3736) to provide for the payment of six months' pay to the widow, children, or other designated dependent relative of any officer or enlisted man of the Regular Army whose death results from wounds or disease not the result of his own misconduct.

Mr. DENT. Mr. Speaker, I ask unanimous consent that the first reading of the bill be dispensed with.

The CHAIRMAN. The gentleman from Alabama asks unanimous consent that the first reading of the bill be dispensed with. Is there objection? [After a pause.] The Chair hears none.

Mr. DENT. Now, Mr. Chairman, I would like to make just this brief statement in regard to this bill.

The bill restores a law that was on the statute books prior to the adoption of the amendment to the War-Risk Insurance bill. That bill repealed a statute which had been on the books for years and years—I know not how long but for many, many years past—providing for the taking care of the widows and the children and the dependent relatives of soldiers by providing

six months' pay, pending the time that they were readjusting their situation. The bill, as the committee knows, amending the war-risk insurance act did not come from the Committee on Military Affairs, but was reported out by the Committee on Interstate and Foreign Commerce.

I do not know whether the repeal of that law was intentionally done at that time or not. I do not recall whether there was any discussion of it. But, at any rate, the War Department insists that that law ought to be restored in order to take care of the widows and the children and the dependent relatives and soldiers who are killed or who die while in the service, by giving them the additional pay of six months.

Mr. WELTY. Will that law, if passed, apply to the officers and soldiers of the National Army?

Mr. DENT. It will not, Mr. Chairman. It simply restores the law as it was and makes it applicable to the officers of the Regular Army, on the theory that an officer of the Regular Army has made a profession out of that particular life and that he has made no preparation, whereas the other people are going in only for temporary service.

Mr. WELTY. Mr. Chairman, do not the officers and soldiers of the National Army make a greater sacrifice than the man who is educated in the Regular Army and makes a profession of that?

Mr. DENT. Well, I would not undertake to draw any comparisons as to who makes the greatest sacrifice, but the business proposition and the practical proposition is the one I am suggesting, that in the one case the soldier has made a profession out of that particular life, whereas, in the other instance, a man who has gone in temporarily is supposed to have made some arrangement for his family prior to service in the Army.

Mr. WELTY. Now, does it include the soldiers and the officers of the National Guard of the various States which were taken into the Army?

Mr. DENT. It only includes the officers and enlisted men of the Regular Establishment.

Mr. WELTY. I will ask whether or not the chairman of the committee and the committee itself will accept an amendment to include the soldiers and officers of the National Army and soldiers and officers of the National Guard?

Mr. DENT. I will state to the gentleman that, so far as I am concerned, I will not object to it if he will limit that to the pending emergency.

Mr. WELTY. That is all right.

Mr. DENT. But this law restores the old law so that it is permanent legislation as to Regular Army officers.

Mr. KAHN. Will the gentleman yield?

Mr. DENT. Yes.

Mr. KAHN. But it is a little more than that, if you will allow me. It not only restores the old law giving this compensation, but the amount is finally deducted from the insurance. Under the old law the widow or the other relatives got the money outright. Under this bill they only get the advance for immediate needs.

Now, some suggestion has been made here that this ought to refer to the men in the National Army and the National Guard as well as the men in the Regular Army. Of course, the Regular Army officers are shifted from one military post to another. They have to go wherever they are ordered, and in the natural course of events they do not have the opportunity for establishing homes. The man who comes into the Military Establishment from civil life has a home, and he undoubtedly has somebody at his home who has sufficient credit there to keep off the creditors until the insurance money is paid. That does not apply to the Regular Army officers as a rule.

Mr. WALSH. Mr. Chairman, will the gentleman yield?

Mr. KAHN. Yes.

Mr. WALSH. Are there not thousands of officers who recently were commissioned in the Regular Army who have not made a career in army life?

Mr. KAHN. Yes. That is so. Yet the number is very small in comparison with the great number of officers who have been commissioned in the National Guard and in the National Army.

Mr. WALSH. Mr. Chairman, will the gentleman yield further?

Mr. KAHN. Yes.

Mr. WALSH. Assuming the case of an officer in the National Army and the case of an officer in the Regular Army, both of them neglecting to take out insurance, the officer in the Regular Army would get the advance, and his dependents would be paid six months' pay, whereas the dependents of an officer in the National Army who neglected to take out insurance would have nothing.

Mr. KAHN. The amendment proposed as section 3, I take it, covers the case of the Regular Army officer who failed to take

out insurance. He would not be able to draw anything under this bill, because section 3 provides that it shall be deducted from his insurance.

Mr. WALSH. But that does not prevent his being paid where there is no insurance. It simply provides for deducting it from what insurance may be due. But if he has no insurance at all, it does not provide that the payment shall not be made. It may be due. Now, if none is due, that would not prevent its being paid. The point I was trying to make, if the gentleman will permit me, was this: That in the case where a Regular Army officer failed to take out insurance, and in a case where an officer in the National Army failed to take out insurance, the dependents of one would receive this payment, whereas the dependents of the other would not?

Mr. KAHN. I do not think that the War Department would make any payment where the man has not taken out insurance.

Mr. MILLER of Minnesota. If the gentleman will permit, the War Department would have to do it, I think, under this law.

Mr. KAHN. I do not so understand. I have no objection personally to allowing the bill to be amended so as to take in the officers, whether they are in the National Army or in the National Guard or in the Regular Army. I have no objection to that.

Mr. REAVIS. Mr. Chairman, will the gentleman yield?

Mr. KAHN. Yes.

Mr. REAVIS. Would the gentleman have any objection to restricting this payment to those officers who have taken out insurance? Then it could be deducted.

Mr. KAHN. I am perfectly willing to have such a restriction made.

Mr. GREEN of Iowa. Mr. Chairman, will the gentleman permit a question?

Mr. KAHN. Yes.

Mr. GREEN of Iowa. It seems to me that if that proposition is accepted and made a part of the law we defeat the intention of the bill, inasmuch as it is based on the argument the gentleman has used—that the regular officer, having no home, has no means of localized credit, whereas the National Guard officer or National Army officer might have credit enough to bring his remains back.

Mr. KAHN. I believe that if the gentleman will look into the record of the War-Risk Bureau he will find that practically every officer has taken out the insurance to the full amount—\$10,000.

Mr. GREEN of Iowa. Mr. Chairman, will the gentleman yield again?

Mr. KAHN. Yes.

Mr. GREEN of Iowa. I can not fully understand the bill, but it seems to me it is of very little advantage to those who have taken out insurance. It is chiefly of advantage to those who have not. It is mainly an advance to those who have taken out insurance.

Mr. KAHN. As I explained a moment ago, the Regular Army officer, having no fixed habitation, is so situated that his dependents left behind can not probably get credit.

Mr. GREEN of Iowa. That was the object. But I was speaking of the effect of it. It will only afford substantial relief to those who have not taken out insurance. It is deducted from those who have taken out insurance, and they get it a little quicker.

Mr. MILLER of Minnesota. Mr. Chairman, will the gentleman yield?

Mr. KAHN. Yes.

Mr. MILLER of Minnesota. This is confined in its expression to those who are in the Regular Army?

Mr. KAHN. Yes.

Mr. MILLER of Minnesota. Those who are retired or on the active list of the Regular Army?

Mr. KAHN. Yes.

Mr. MILLER of Minnesota. It is really the reenactment of the law that has heretofore existed?

Mr. KAHN. The gentleman is quite right.

Mr. MILLER of Minnesota. It is really continuing to this class of people benefits heretofore enjoyed by them?

Mr. KAHN. Exactly.

Mr. MILLER of Minnesota. Now, I am assuming that this is proper legislation; but why is it not advisable to extend the benefits of it to the National Guard and the National Army?

Mr. KAHN. I have no objection to that, I will say to the gentleman. I have so stated already. I have no objection to having the bill amended so as to take in the officers from every branch of the service.

Mr. MILLER of Minnesota. Did the committee give consideration to that feature?

Mr. KAHN. I do not think so.

Mr. MILLER of Minnesota. The gentleman is undertaking to state that the Committee on Military Affairs would not be opposed, at least, as a body, to any such suggestion?

Mr. KAHN. I do not think these gentlemen at my left are opposed to the extension of it. I would ask the chairman of the committee this question: Does the chairman of the committee object to an amendment of this bill making it applicable to the National Guard and the National Army as well as to the Regular Army?

Mr. DENT. As I stated a moment ago, I would be willing to accept an amendment of that kind provided it was limited, of course, to the present emergency.

Mr. MILLER of Minnesota. Would it not be advisable for the chairman of the committee to propose or offer such an amendment?

Mr. DENT. It might be.

Mr. MILLER of Minnesota. Now, may I make an inquiry there of the gentleman from California and the gentleman from Alabama? The language here used is "any officer or enlisted man." I have long been somewhat confused as to just what the enlisted man is. Would the law construe a man who has been drafted under the selective-draft act as an enlisted man?

Mr. KAHN. Yes.

Mr. MILLER of Minnesota. Has that been officially determined, to make that certain?

Mr. KAHN. I do not know what decisions have been handed down, but, as I understand it, the officials of the War Department have invariably referred to the men in the National Army as enlisted men. In fact, the gentleman from Kansas [Mr. ANTHONY], who has just rung up the Judge Advocate General's office, has been informed that the words "enlisted men" applies to all private soldiers in the National Army as well as privates in the Regulars and those in the National Guard organizations.

Mr. MILLER of Minnesota. I think that is the way it ought to be; but I have wondered several times if it would not be better if the committee used some language somewhere in the bill distinctly showing that that is the case.

Mr. MADDEN. They have to enlist after they are drafted, do they not?

Mr. GREENE of Vermont. The words "enlisted man" do not refer to the means by which a man gets into the service. They refer to his status after he gets in.

Mr. MILLER of Minnesota. Is that quite true?

Mr. KAHN. Certainly. He is either an officer or an enlisted man. Neither the word "officer" nor the words "enlisted man" refer to the means by which he got in.

Mr. MILLER of Minnesota. But the gentleman knows that heretofore the only way a man could get in was by enlisting.

Mr. KAHN. Oh, no; we had drafted men during the Civil War, and they were considered enlisted men at that period.

Mr. GREENE of Vermont. A West Pointer does not enlist.

Mr. MILLER of Minnesota. But he is an officer.

Mr. GREENE of Vermont. Exactly; and it refers to the status of the man after he is in the service and not the means by which he got in.

Mr. MILLER of Minnesota. We are all agreed that that is what it ought to mean.

Mr. GREENE of Vermont. Yes.

Mr. MILLER of Minnesota. But I have been afraid that some court might not take that view of it.

Mr. MADDEN. Does a man who goes into the Army as an officer voluntarily enlist?

Mr. KAHN. No; he is commissioned in the Army.

Mr. MADDEN. When a man is sworn in, that is his enlistment, is it not?

Mr. KAHN. As a private; certainly. If he goes into the ranks, he is an enlisted man. If he goes in as an officer, he is a commissioned officer.

Mr. MADDEN. The part I want to get information on, so that it will go into the Record and may guide the executive branch of the Government at some time, is whether or not the oath itself is not the thing that constitutes enlistment.

Mr. KAHN. Yes. It constitutes his entrance into the Army. If a man goes into the ranks, then he is an enlisted man. If he takes the oath as an officer, he is a commissioned officer.

Mr. MADDEN. Yes; but that is the thing that completes his enlistment, either as an officer or as a private.

Mr. KAHN. Yes; the taking of the oath.

Mr. MILLER of Minnesota. Now, if I may go back once more—and I hope the gentleman will pardon me—Gen. Sherwood just advises me that during the Civil War men who were

taken into the service by the operation of the draft were never called enlisted men. They were always technically known as conscripts.

Mr. KAHN. Yes; and it was used as a term of contempt, to their detriment.

Mr. MILLER of Minnesota. That is very true, but we do not care anything about that.

Mr. DYER. The records do not show that.

Mr. KAHN. That was the common term used in the Army, but the records of the War Department show that they were enlisted.

Mr. MILLER of Minnesota. The gentleman may be mistaken about that.

Mr. FOSTER. Let me say to the gentleman that last summer when we were passing the bill to relieve those in the Army from the work necessary to be done on mining claims we investigated that, but I can not recall to whom we talked about it. We were informed, however, that the term "enlisted men" meant everybody.

Mr. KAHN. Yes. Noncommissioned officers are enlisted men.

Mr. FOSTER. We thought of changing the wording, but they said it was not necessary, because that meant everybody.

Mr. MILLER of Minnesota. Let us analyze that for a minute. I do not know who it was who said that enlistment means everybody.

Mr. FOSTER. It means those who go into the Army, either drafted or as volunteers.

Mr. MILLER of Minnesota. It might be somebody not qualified to give affirmative technical information who said that.

Mr. DYER. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. DYER. I should like to know who has the floor?

The CHAIRMAN. The gentleman from Alabama [Mr. DENT] has the floor.

Mr. DYER. Are we under the five-minute rule?

The CHAIRMAN. We are not. The gentleman from Alabama is entitled to an hour.

Mr. MILLER of Minnesota. The gentleman from California had the floor, and I interrupted him, and I beg his pardon.

Mr. DENT. I have the floor, and I yielded to the gentleman from California.

The CHAIRMAN. The gentleman from Alabama yielded to the gentleman from California.

Mr. DYER. I ask the gentleman if he will yield to me five minutes?

Mr. RAYBURN. I object to that; that is, I want some explanation from the Committee on Military Affairs of what is meant by this bill before time is yielded to anybody else.

Mr. WALSH. A point of order, Mr. Chairman.

The CHAIRMAN. The gentleman will state it.

Mr. WALSH. The gentleman from Texas [Mr. RAYBURN] certainly can not object to the gentleman from Alabama yielding time.

Mr. RAYBURN. I said I objected, but I amended that by saying I wanted somebody on the Committee on Military Affairs to explain what is meant by this bill. I do not know.

Mr. DYER. The chairman of the committee explained it very fully.

Mr. RAYBURN. I want to ask a question or two about it.

Mr. DENT. I yield to the gentleman from Texas.

Mr. RAYBURN. I want to ask the chairman of the committee this question: In section 3 of this bill it says:

That the sum received hereunder shall be deducted from any amount that may be, or may become, due and payable to any such widow, child, children, or dependent relative of such officer or enlisted man under the act entitled "An act to amend an act entitled 'An act to authorize the establishment of a Bureau of War Risk Insurance in the Treasury Department,' approved September 2, 1914, and for other purposes," approved October 6, 1917, or any act or acts amendatory thereof.

What does that mean? What deduction?

Mr. DENT. It means any benefit, any amount, any sum received from the insurance; an allowance or anything else under that act shall be deducted on account of this advance.

Mr. RAYBURN. Let me ask this question: We have established an Insurance Bureau in the Treasury Department. A man makes a contract with the Government for insurance. He or somebody for him pays the premium. Does the gentleman think this six months' allowance would come out of that, when it is provided in the law that that is the insurance for which he has contracted, for which he has paid the premium in good faith, and which the law provides shall be paid in monthly installments running over 240 months? Does the gentleman think that this deduction would come out of that?

Mr. DENT. Unquestionably.

Mr. RAYBURN. But we have a contract with this man for which he has paid valuable consideration.

Mr. DENT. Does the gentleman from Texas, who is a good lawyer, contend that the widow or dependent relative could receive advance payment under the provisions of this act and not be bound by it?

Mr. RAYBURN. I do; because it is a contract made in good faith with the Government, and for which he has paid.

Mr. DENT. This is a gratuity that the Government is giving and the Congress of the United States can repeal it to-day.

Mr. RAYBURN. I beg the gentleman's pardon, does the gentleman think that when an insurance bureau is established and a soldier takes out insurance under that law and pays his premium that it could violate that contract? The Government has placed the man in a hazardous employment, the Government is only taking the risk of the hazard; then does the gentleman say that that is a gratuity to the man after he has taken out the insurance and paid the premium?

Mr. DENT. I say unqualifiedly, so far as my opinion is concerned, that the Congress of the United States can this afternoon repeal the whole insurance law.

Mr. RAYBURN. Absolutely; but it is not a gratuity.

Mr. DENT. We can repeal it, and anyone who accepts a benefit must be bound by it.

Mr. RAYBURN. I think the gentleman's law would apply to compensation, but certainly it would not apply to the insurance.

Mr. DENT. What is the difference between compensation and insurance?

Mr. RAYBURN. He pays nothing for the compensation; that is a pension; but insurance he pays for. We established a bureau of insurance for the reason that nine companies out of ten canceled all the insurance that the man had, and we established a bureau which said that they would take every man and insure him at peace-time rates.

Mr. DENT. And the gentleman thinks that the Congress of the United States would be estopped from repealing it?

Mr. RAYBURN. I do not think your bill repeals it, and I do not think it ought to be repealed.

Mr. PADGETT. Is not this an advanced payment?

Mr. RAYBURN. No.

Mr. PADGETT. It pays them six months' gratuity; it is admitted that they have got the money and are deprived of nothing.

Mr. RUCKER. Will the gentleman yield?

Mr. DENT. I will.

Mr. RUCKER. This bill refers to enlisted men in several places. Do these payments include drafted men?

Mr. DENT. No; they do not as the bill is drawn, but I am willing that the bill should be amended and make it cover all branches.

Mr. RUCKER. So that it will clearly embrace drafted men?

Mr. DENT. Yes.

Mr. RUCKER. Then what would become of section 2?

Mr. DENT. I will move to strike that out.

Mr. SHERLEY. Will the gentleman yield?

Mr. DENT. I will.

Mr. SHERLEY. The gentleman has probably stated it before, but I have not been able to hear it. What is the reason, in view of what we have done under the insurance law for the soldiers, that he gives as warranting this legislation?

Mr. DENT. The reason given by the War Department, stated in the letter published in the report, is that it takes a long time for the widow, child, or dependent relative to collect the insurance money. The allowance under this act would tide them over.

Mr. SHERLEY. In the first place, that is an assumption concerning matters the War Department knows much less about than the War-Risk Insurance Bureau, and it is an assumption that ought not to be true in fact.

Mr. DENT. I am not disposed to take issue with the Secretary of War or the War Department myself on that subject.

Mr. SHERLEY. I do not see why the gentleman should not. They have no particular monopoly of wisdom and have nothing to do with enforcing the insurance act.

Mr. DENT. They have all to do with the payment of the six months' pay.

Mr. SHERLEY. Ah, now the gentleman is coming to what seems to me to be the situation. Under the old law, before we provided a new compensation, they had it; and they do not like to give up something they formerly had, whether the reason has passed away or not. That is what I would like to hear the gentleman about.

Mr. DENT. I have explained the reason for the bill, that it is to tide over the dependents in the first place, and in the next place to restore the law as it was before this act was repealed for those who have not taken out any insurance.

Mr. SHERLEY. There is some benefit in the insurance act that we have passed.

Mr. DENT. They are credited for that; it is to be deducted.

Mr. SHERLEY. Why should you assume that the Government will have to be more tardy than the insurance companies in adjusting things of that sort?

Mr. DENT. The gentleman knows that in proving up claims for insurance it will take time.

Mr. SHERLEY. There ought to be no more delay in the War-Risk Insurance Bureau paying under that act than in the War Department paying under this act.

Mr. KAHN. Will the gentleman yield?

Mr. DENT. I will yield to the gentleman.

Mr. KAHN. In further reply to the gentleman from Kentucky [Mr. SHERLEY], the gentleman was not here when I first explained the matter. As the gentleman knows, many of the Army officers have no fixed abode. The wife happens to be at some post for the time being, if there are quarters there, and if not she goes to some city and rents quarters. She has no established credit in that city and probably has not enough money to buy widow's weeds in case her husband is killed. This is an attempt to allow the War Department to advance her the money, in order that she may get those supplies which are absolutely necessary under the circumstances.

Mr. SHERLEY. I can not, of course, in question and answer reply to a great many assumptions in the gentleman's statement that I do not think are fully warranted. He assumes that this is the only way that such a person is going to be able to get any money immediately from the Government, which I deny.

Mr. KAHN. It is the speediest way of doing it.

Mr. SHERLEY. That is the question at issue.

Mr. REAVIS. Mr. Chairman, will the gentleman yield?

Mr. DENT. I yield.

Mr. REAVIS. I have not been able to hear much of what has been going on here, and I would like to know why it is that the benefits in this bill are confined to the Regular Army officers and not given to the Reserve officers?

Mr. DENT. In the confusion the gentleman has not heard me repeat two or three distinct times, on several occasions, that I was willing to offer an amendment extending the provisions to the National Guard, the National Army, and the Officers' Reserve Corps.

Mr. REAVIS. I am very glad to hear that. There has been so much confusion that we have not been able to hear much of what has been going on.

Mr. WALSH. Will the gentleman state why the committee reported this bill without that amendment; why the report confined it?

Mr. DENT. Of course, if the gentleman wants to go into the motives that inspired the committee, I would state to him that when we considered the bill we were simply undertaking to restore as permanent law that which we thought was unintentionally repealed by the war-risk insurance law, which the Military Committee did not handle.

Mr. WALSH. That was the only reason?

Mr. DENT. That is the only reason we had in mind when we reported it.

Mr. HUDDLESTON. Mr. Chairman, will the gentleman yield?

Mr. DENT. Yes.

Mr. HUDDLESTON. The theory upon which this is being done is that the beneficiary will be able to get this money more quickly through the officers of the War Department than the Bureau of War-Risk Insurance?

Mr. DENT. That is the statement the Secretary of War made in approving this bill.

Mr. HUDDLESTON. Will the gentleman permit me to call his attention to the fact that the operation of the War-Risk Insurance Bureau is much more speedy than the War Department? It means delay instead of speed, according to my experience, and I have handled several of these things. Will the gentleman permit me to further call attention to another aspect of this matter? Under the war-risk act the soldiers are permitted to designate their beneficiaries, and under this act the beneficiary is arbitrarily designated, not according to the will of the soldier in some instances. The effect of this will be to take away insurance that the soldier has been paying for, in order that it may be paid to some one not the beneficiary and given to some one else, to whom the soldier does not want it to go, and have it charged to the beneficiary.

Mr. DENT. I can not agree to that. I think the gentleman is wrong, because whatever is gotten under this is to be deducted from what is given under the war-risk insurance.

Mr. HUDDLESTON. In other words, there will be a double benefit?

Mr. DENT. No.

Mr. HUDDLESTON. As I understand the gentleman, the beneficiary in the policy of insurance will still get what it was intended she should get, and this benefit if it be paid to a different beneficiary—

Mr. DENT. I guess that is true.

Mr. HUDDLESTON. Would be a double benefit. Therefore there will be cases in which there will be discrimination and double payments.

Mr. DENT. There can not be any double payments.

Mr. HUDDLESTON. I understood the gentleman to admit there would be.

Mr. DENT. It may be that there will be an increase in the number of beneficiaries, but there will not be any double payments.

Mr. LOBECK. Mr. Chairman, will the gentleman yield?

Mr. DENT. Yes.

Mr. LOBECK. In line 3, on first page, it is provided "That hereafter," and so forth. Why should not this apply to men who are now at the front, who may have died in the last two days? Why should it not take effect from the time these men have gone into the service, if they have not been paid?

Mr. DENT. That is taken care of. The committee considered that proposition, and that is taken care of in the language on lines 6 and 7, "from and after October 6, 1917," which was the date that the war-risk insurance law repealed this law.

Mr. LOBECK. It does not affect those before October 6?

Mr. DENT. The law was not repealed until October 6, and every one had the benefit of the law up until that time. This restores the law from and after that date.

Mr. LOBECK. I have had cases where men lost their limbs or died before October 6. It would not affect those cases?

Mr. DENT. This bill would not affect them. Under the old law they would have been entitled to the benefits of the law.

Mr. WINSLOW. Mr. Chairman, will the gentleman yield?

Mr. DENT. Yes.

Mr. WINSLOW. Does the gentleman know whether or not a like provision is contemplated for members of the naval service?

Mr. DENT. Yes; the chairman of the Naval Committee proposes to offer an amendment to that effect, and I shall accept it.

Mr. LITTLE. Mr. Chairman, will the gentleman yield?

Mr. DENT. Yes.

Mr. LITTLE. The question was raised as to whether this term "enlisted men" would include drafted men. Several gentlemen gave us their definite opinion that it would, but on looking at the dictionary I find the dictionary does not agree with them. I call the attention of the chairman to the definition of the word "enlist":

To enter voluntarily the military service, the navy, or the like, by formal enrollment; authorize the placing of one's name on the muster roll or list of recruits.

What I have been afraid of is that the courts might decide that the gentlemen who stated their opinion to us are wrong and that the dictionary is right, and I would suggest to the gentleman that when he offers his amendment to include men in the National Army and the National Guard and the Reserve Corps he bear in mind the dictionary definition rather than the floor suggestion.

Mr. DENT. Well, I understand the War Department construes the words "enlisted men" as covering every man in every branch of active service.

Mr. LITTLE. I have heard that statement several times—

Mr. DENT. That is the construction the War Department puts on it, and that is the language that has been used.

Mr. LITTLE. If the gentleman will permit me, the courts will have to construe it according to the dictionary, and I think probably the War Department would follow the courts. It would be a very simple matter to word that so as to agree with the dictionary. That is just a suggestion—

Mr. GREENE of Vermont. If the gentleman will permit, I think the gentleman from Kansas would get a satisfactory definition, at least if not definite an indirect one, by reading anything of the law that relates to the National Army or the National Guard. Now take the National Army. It is made up of drafted men, and men in the National Army who are not officers are referred to in orders and everything else as enlisted men.

Mr. LITTLE. That may be, but whoever wrote those orders did not read the dictionary and did not know the English language.

Mr. GREENE of Vermont. I did not understand that Noah Webster got up our Army.

Mr. LITTLE. No; but he got up the dictionary.

Mr. DENT. I hope we can reach some conclusion on this bill. I had rather lay it aside than to spend the whole day on this bill. There are 15 other bills here.

Mr. DYER. Mr. Chairman—

Mr. STAFFORD. I would like to have some time in opposition to the bill. I have already expressed the desire to the gentleman from California, and I would like to have 10 or 15 minutes, but I do not wish to be recognized in my own right.

Mr. DENT. I was just suggesting I hope to reach some agreement. I know it is not proper in the Committee of the Whole House, but I would like an understanding that general debate be closed on this proposition, say, in 30 minutes.

Mr. KAHN. Will the gentleman yield?

Mr. DENT. Yes.

Mr. KAHN. There are gentlemen on this side who want time to speak on this bill. The gentleman from Wisconsin [Mr. STAFFORD] wants 10 minutes to speak on this bill. I believe I am entitled to an hour in my own right under the present proceedings on this bill, and I would desire to yield 10 minutes to the gentleman from Wisconsin on this bill. If the gentleman will reserve the balance of his time we can probably pass this bill without much trouble.

Mr. DENT. I was trying to reach some agreement. I know it is not exactly in order to reach an agreement in the Committee of the Whole House, but I hoped to reach some agreement by which we could finish discussion of this bill. The gentleman has suggested 30 minutes. If the gentleman has any other suggestion—

Mr. KAHN. I have no suggestion; the 30 minutes will satisfy me.

Mr. DYER. I would like to ask who is to have the 30 minutes?

Mr. WALSH. That does not mean exclusive of the five minutes for amendments?

Mr. DENT. Of course not.

Mr. WALSH. But 30 minutes for general debate.

Mr. DENT. Then I ask unanimous consent that general debate upon this bill be closed in 30 minutes.

Mr. RAYBURN. I want 10 minutes.

Mr. DENT. Half of it to be controlled by myself and half by the gentleman from California.

Mr. RAYBURN. Can I get 10 minutes of that time?

Mr. DENT. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. BURNETT, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill S. 3736, and had come to no resolution thereon.

Mr. DENT. Mr. Speaker, I ask unanimous consent that the bill S. 3736 be temporarily laid aside.

The SPEAKER. The gentleman from Alabama asks unanimous consent that Senate bill 3736 be temporarily laid aside. Is there objection?

Mr. RAYBURN. Mr. Speaker, reserving the right to object, does the gentleman mean by "temporarily" that he intends to take up this bill to-day, because some of us want to be here when it comes up again?

Mr. DENT. I hardly think it possible to reach it to-day. We have 13 bills, and I propose to go on with the calendar and put that at the foot of the list.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

SALE OF CERTAIN WAR SUPPLIES.

Mr. DENT. Mr. Speaker, I call up the bill H. R. 9900.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

A bill (H. R. 9900) authorizing the President during the existing emergency to sell war supplies, materials, and equipment heretofore or hereafter purchased, acquired, or manufactured by the United States.

Be it enacted, etc., That during the existing emergency the President be, and he hereby is, authorized, in his discretion, and upon such terms as he shall deem expedient through the head of any executive department, to sell any war supplies, materials, and equipment heretofore or hereafter purchased, acquired, or manufactured by the United States to any person, partnership, association, or corporation, or to any foreign State or Government engaged in war against any Government with which the United States is at war; and any moneys received by the United States as the proceeds of any such sale shall immediately become available as part of any existing appropriation for the support of that department, corps, or bureau which furnished the war supplies, materials, or equipment so sold.

The committee amendment was read, as follows:

Page 2, strike out all of lines 4, 5, 6, and 7 and insert "be covered into the Treasury of the United States and a full report of the sale shall be forthwith submitted to Congress."

The SPEAKER. This bill is on the Union Calendar.

Mr. DENT. Mr. Speaker, I ask unanimous consent that the bill be considered in the House as in the Committee of the Whole House on the state of the Union.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. DENT. Mr. Speaker, this bill simply gives to the War Department the authority to sell property to our cobelligerents and also to dispose of useless property that the War Department may have on hand, and it is recommended by the War Department. I hope the bill will be passed. I wish to call attention to the fact that the Senate has passed a similar bill, and I ask to substitute the Senate bill with the amendment proposed by the Committee on Military Affairs. I ask to substitute the Senate bill, together with the House amendment, for the House bill.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. STAFFORD. Will the gentleman yield?

Mr. DENT. Yes.

Mr. STAFFORD. I am informed that the Senate bill varies in some particulars from the House bill as reported other than the amendment which was reported by the committee. Will the gentleman inform the House wherein there is a difference. Mr. Speaker, I ask unanimous consent that the Senate bill be reported.

Mr. DENT. I yield to the gentleman from Vermont [Mr. GREENE].

The SPEAKER. The Clerk will report the Senate bill.

The Clerk read as follows:

An act (S. 3803) authorizing the President during the existing emergency to sell supplies, materials, equipment, or other property, heretofore or hereafter purchased, acquired, or manufactured by the United States, in connection with, or incidental to, the prosecution of the war.

Be it enacted, etc., That during the existing emergency the President be, and he hereby is, authorized, in his discretion, and upon such terms as he shall deem expedient, through the head of any executive department, to sell any supplies, materials, equipment or other property heretofore or hereafter purchased, acquired, or manufactured by the United States in connection with, or incidental to, the prosecution of the war, to any person, partnership, association, or corporation, or to any foreign State or Government engaged in war against any Government with which the United States is at war; and any moneys received by the United States as the proceeds of any such sale shall immediately become available as part of any existing appropriation for the support of that department, corps, or bureau which furnished the war supplies, materials, or equipment so sold.

Mr. GREENE of Vermont. If the gentleman from Alabama will permit, I will explain the difference between the bills.

Mr. DENT. I will.

Mr. GREENE of Vermont. If Members will take the bill H. R. 9900, and on page 1, line 6, strike out the word "war," and the final word in the line, "and," and on line 7, after the word "equipment," insert "or other property," and, again, in line 8, after the word "States," insert "in connection with or incidental to the prosecution of the war," they will find they have the only difference between the text of the two bills. And the title is amended also. The purpose of that was simply to amplify the definition of war supplies so that there would not be any too small construction put upon the purposes for which some very useful and necessary materials might be included.

Mr. STAFFORD. Will the gentleman from Alabama yield?

Mr. DENT. Yes.

Mr. STAFFORD. Can the gentleman from Vermont inform the House the extent to which the Government will loan and advance machinery to the private manufacturers who will be engaged in the manufacture of munitions or supplies necessary for the Army?

Mr. GREENE of Vermont. The only information I have about it is that more or less vague and indefinite suggestion which we have had all through the period of war, namely, as fast and as much as will be necessary.

Mr. STAFFORD. Has the War Department suffered much handicap in having their supplies manufactured because of the inability of private manufacturers to equip their plants with machinery, and, if so, to what extent? Of course, we all know that large numbers of private manufacturing establishments have received contracts from the War Department for the manufacture of supplies. This bill, as I take it, is to aid those manufacturers who have not the capital or the machinery that the Government may wish them to have with which to manufacture supplies.

Mr. GREENE of Vermont. I take it that, in general words, the idea is that this Government, entering the war without very many plants of its own and no plant adequate to take care of the demand, has been put to the expedient of taking over private plants, or taking, evidently, such possession of them as might be necessary for the operation of them, and in cases installing its own machinery or other facilities in it, so that, in a sense, they are quasi-Government plants to that extent. And by that fact, of course, it is evident that nobody could foresee exactly when and where and under what circumstances a neces-

sary proposition of that kind might be considered. Thus there is no accurate data to be gathered by way of forecast.

Mr. STAFFORD. Of course, we all realize it is important in the prosecution of the war to supply machinery under contractual relations that will be taken over by the private manufacturers at the end of the war, to be used during the war for the necessary war supplies.

I ask the gentleman's further attention to the letter of Gen. Crowder, in which he says, in the second paragraph:

The second purpose is not clearly divulged in the language of the act. That is rather ambiguous. I had difficulty in determining to what that referred.

Mr. GREENE of Vermont. It is explained by the paragraph that immediately follows, as I understand it.

Mr. STAFFORD. The gentleman believes that the reference in the third paragraph is to that particular matter?

Mr. GREENE of Vermont. Yes. I had the same difficulty and have come to exactly the same conclusion that I have just stated.

Mr. ELSTON. The gentleman is perfectly satisfied with the language in the Senate bill and prefers it to that in the House bill?

Mr. GREENE of Vermont. We prefer it because it is more ample and gives less opportunity for quibbling in some emergencies.

Mr. LONGWORTH. Will the gentleman from Alabama yield?

Mr. DENT. I will.

Mr. LONGWORTH. I do not quite understand why the Judge Advocate General should have jurisdiction over a matter of this sort that has been referred to that department.

Mr. DENT. What is the question?

Mr. LONGWORTH. I simply asked why the Judge Advocate General should have been appealed to in a matter of this sort.

Mr. DENT. Does the gentleman refer to the letter in the report?

Mr. LONGWORTH. Yes.

Mr. DENT. I will state to the gentleman that the Judge Advocate General is the representative of the Secretary of War in legislative matters during the Secretary's absence.

Mr. LONGWORTH. May I ask if there is any one individual or board now in existence which has final jurisdiction over these matters of purchase of supplies or arranging for supplies?

Mr. DENT. I can not answer that. I am not familiar with it.

Mr. Speaker, I move the previous question on the passage of the bill.

Mr. STAFFORD. The gentleman wishes to offer an amendment, does he not?

Mr. DENT. Yes.

The SPEAKER. The gentleman moves the previous question on the Senate bill with the House amendment.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the House amendment to the Senate bill.

The amendment was agreed to.

The bill as amended was ordered to be read a third time as amended by the House amendment, was read the third time, and passed.

On motion of Mr. DENT, a motion to reconsider the vote by which the bill was passed was laid on the table.

The SPEAKER. Without objection, the House bill (H. R. 9900) will lie on the table.

There was no objection.

TEMPORARY INCREASE, MILITARY ESTABLISHMENT.

Mr. DENT. Mr. Speaker, I call up the bill H. R. 9902.

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

A BILL (H. R. 9902) to amend section 8 of an act entitled "An act to authorize the President to increase temporarily the Military Establishment of the United States," approved May 18, 1917.

Be it enacted, etc., That the last sentence of section 8 of an act entitled "An act to authorize the President to increase temporarily the Military Establishment of the United States," approved May 18, 1917, be, and the same hereby is, amended to read as follows:

"Vacancies in the grades of the Regular Army resulting from the appointment of officers thereof to higher grades in the forces other than the Regular Army herein provided for shall be filled by temporary promotions and appointments in the manner prescribed by section 114 of the national-defense act, approved June 3, 1916, except that such promotions and appointments may be made by the President alone when such vacancies are in grades not above that of colonel; and officers appointed under the provisions of this act to higher grades in the forces other than the Regular Army herein provided for shall not vacate their permanent commissions or be prejudiced in their relative or lineal standing in the Regular Army."

The SPEAKER. This bill is on the Union Calendar.

Mr. DENT. Mr. Speaker, I ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

The SPEAKER. The gentleman from Alabama asks that the bill be considered in the House as in Committee of the Whole. Is there objection?

There was no objection.

Mr. WALSH. Mr. Speaker, will the gentleman state whether the only difference that is sought to be remedied by this legislation is that in the National Army and these other branches of the service the law now provides that appointments above the grade of colonel must be affirmed and ratified by the Senate, and that is not so in reference to the Regular Establishment?

Mr. DENT. Yes.

Mr. WALSH. And this seeks—

Mr. DENT. To allow the President to make appointments in the Regular Establishment up to and including the grade of colonel without confirmation by the Senate. They are merely temporary appointments, so as to put the temporary appointments in the Regular Establishment on the same footing with the appointments in the National Army. I move the previous question, Mr. Speaker.

The previous question was ordered.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. DENT, a motion to reconsider the vote whereby the bill was passed was laid on the table.

ARMY MINE-PLANTER SERVICE.

Mr. DENT. Now, Mr. Speaker, I call up House bill 9898.

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

A BILL (H. R. 9898) to establish in the Coast Artillery Corps of the Regular Army an Army mine planter service.

Be it enacted, etc., That hereafter there shall be in the Coast Artillery Corps of the Regular Army an Army mine planter service, which shall consist, for each mine planter in the service of the United States, of one master, one first mate, one second mate, one chief engineer, and one assistant engineer, who shall be warrant officers appointed by and holding their offices at the discretion of the Secretary of War, and two oilers, four firemen, four deck hands, one cook, one steward, and one assistant steward, who shall be appointed from enlisted men of the Coast Artillery Corps under such regulations as the Secretary of War may prescribe: *Provided*, That the Coast Artillery Corps is hereby increased by such numbers of warrant officers and enlisted men as may be necessary to constitute the force provided by this act: *Provided further*, That the annual pay of the warrant officers and enlisted men in the various grades established by this act shall be as follows: Masters, \$1,800; first mates, \$1,320; second mates, \$972; chief engineers, \$1,700; assistant engineers, \$1,200; oilers, \$432; firemen, \$396; deck hands, \$216; cooks, \$360; steward, \$540; assistant stewards, \$288: *And provided further*, That warrant officers shall have such allowances as the Secretary of War may prescribe, and shall be retired and shall receive longevity pay, as now provided by law for officers of the Army, and that the enlisted force herein provided for shall receive the allowances and continuous-service pay now provided by law for enlisted men of the Army: *Provided*, That in computing length of service for retirement, and in computing longevity pay for warrant officers and continuous-service pay for the enlisted men authorized by this act, service on boats in the service of the Quartermaster Department or the Quartermaster Corps prior to the passage of this act shall be counted: *And provided further*, That during the continuation of the present emergency all enlisted men of the mine planter service of the Army of the United States in active service whose base pay does not exceed \$21 per month shall receive an increase of \$15 per month; those whose base pay is \$24, an increase of \$12 per month; those whose base pay is \$30, \$36, or \$40, an increase of \$8 per month; and those whose base pay is \$45 or more, an increase of \$6 per month: *And provided further*, That the increases of pay herein authorized shall not enter into the computation of continuous-service pay.

The SPEAKER. This bill is on the Union Calendar.

Mr. DENT. I ask unanimous consent that this bill be considered in the House as in Committee of the Whole.

The SPEAKER. The gentleman from Alabama asks unanimous consent that this bill be considered in the House as in Committee of the Whole. Is there objection?

There was no objection.

Mr. DENT. Now, Mr. Speaker, I yield to the gentleman from California [Mr. KAHN] to explain this bill.

The SPEAKER. The gentleman from California is recognized for five minutes.

Mr. KAHN. Mr. Speaker, for several years the Coast Artillery Corps has asked for this legislation. The Committee on Military Affairs has not heretofore taken it up, but since we have gone into this war it is essential that this legislation be passed.

The Coast Artillery Service has charge of the mine planters of the country. The officers of that corps find now that they have a great deal of difficulty in getting civilians to work on the mine planters if the weather happens to be a little rough, or if they do not like the kind of work required in the service. In war we can not wait for the weather. We have to be ready to act immediately, and the War Department feels that by enlisting men in this service they can be ordered to do the work at any time, at any hour of the day or night, as occasion may arise.

It is a service, of course, that operates only along the coast of our country. I understand there are only nine mine-planter stations in the country. It is not always possible to get men in an emergency to do this necessary work. The passage of this bill will enable the War Department to enlist men for this service. Under the circumstances it is believed that we will have no further difficulty in operating mine planters at any hour of the day or night.

Mr. WALSH. Mr. Speaker, will the gentleman yield?

Mr. KAHN. Yes.

Mr. WALSH. I wanted to ask a question with reference to deck hands on these mine planters. I suppose they perform a character of work similar to that of a seaman upon that class of vessels?

Mr. KAHN. Not what you would call a seaman, but what they call a deck hand. He is a man who—

Mr. WALSH. Well, he would be the only seaman on board of the mine planter.

Mr. KAHN. The mine planters do not go out to sea for any great distance. They are operating in and near the harbors. We have deck hands on the ferryboats that ply in our ports. The men on the mine planters are like those deck hands.

Mr. WALSH. They go as far out to sea as these submarine chasers—these small boats?

Mr. KAHN. No. They simply mine the harbors.

Mr. WALSH. They might not go as far out to sea as it is intended that the submarine chasers should go, but they would go out as far as some of the submarine chasers actually do go. My inquiry was prompted by noting the small pay that was paid these deck hands—\$216 a year.

Mr. KAHN. That is about the same pay they get for the same work in private service.

Mr. WALSH. On board these tugboats?

Mr. KAHN. Yes.

Mr. WALSH. And it is thought to fix the pay at the same rate they receive in private service, and then they get \$180, I see, additional, according to the last proviso.

Mr. KAHN. Well, we have given all the employees of the Government some increase of pay through the legislation that was passed through this House.

Mr. WALSH. They get \$15 a month if their base pay does not exceed \$21. That would give the deck hands \$396 per year. Now, I wanted to ask if they would also get commutation?

Mr. KAHN. No.

Mr. WALSH. Would they get this 30 or 40 cents a day for meals, as in the Navy?

Mr. KAHN. No. They are furnished their meals.

Mr. WALSH. And they do not have to contribute to that?

Mr. KAHN. No. They will get rations like the enlisted men of the Army.

Mr. WALSH. Now, Mr. Speaker, I desire to ask the gentleman a question with reference to the salary fixed for masters and for the mates. What did the committee have to compare with?

Mr. KAHN. That is about the salary they are getting now in that service.

Mr. WALSH. Would the gentleman state in what part of the country you can find the master of a tugboat that gets \$1,800 a year?

Mr. KAHN. You will find that mine planters are located around Boston Harbor, and they are located around New York Harbor, and that they are located at the mouth of Chesapeake Bay. They are located on the Atlantic coast, as you go down the coast and around the Gulf shore; they are located on the Pacific coast around Puget Sound, and the harbor of San Francisco.

Mr. WALSH. Well, they have been in the service of the Government?

Mr. KAHN. Yes; as civilians.

Mr. WALSH. How does it compare with the compensation in private employment?

Mr. KAHN. Well, I imagine that it must be about the same, because these men are not enlisted. They are not commissioned. If they could get better pay in private employment they would probably not serve with the Government for less wages than they could get from private concerns.

Mr. WALSH. I have no desire to unduly consume time upon this measure, Mr. Speaker, but I wanted—

The SPEAKER. The time of the gentleman from Massachusetts has expired.

Mr. WALSH. I move to strike out the last word, to permit the gentleman from California to answer a question.

The SPEAKER. The gentleman from Massachusetts moves to strike out the last word.

Mr. WALSH. Who would be the warrant officers under this schedule?

Mr. KAHN. I presume they would be the same as warrant officers in the Navy, carpenters, and so on.

Mr. WALSH. But there are no carpenters provided for in this service.

Mr. KAHN. I know, but the warrant officers in the service would be doing the same class of work as the warrant officers in the Navy.

Mr. WALSH. Would a fireman be a warrant officer?

Mr. KAHN. I do not think so.

Mr. WALSH. Probably warrant officers would not be below the grade of assistant engineers.

Mr. KAHN. No; I do not think so. Probably the warrant officers would be those occupying the positions just below assistant engineers and not above that.

Mr. WALSH. Mr. Speaker, if I understand the gentleman correctly, it is attempted here to create a new branch of the military service, something that has been desired for some little time.

Mr. KAHN. Yes.

Mr. WALSH. But especially necessary during this present war?

Mr. KAHN. Quite right.

Mr. WALSH. And that in fixing the compensation and the benefits the committee have sought to make it compare with a similar service of the Navy, although this is to be under the jurisdiction of the Chief of the Coast Artillery?

Mr. KAHN. Quite right.

Mr. WALSH. And the committee have sought to put the compensations and benefits upon the same plane with those of men similarly engaged in the Navy?

Mr. KAHN. Yes.

Mr. WALSH. And with that end in view this increase in pay has been granted?

Mr. KAHN. Quite right.

Mr. WALSH. That is satisfactory. I yield back the balance of my time.

Mr. ROBBINS. Mr. Speaker, may I in the time of the gentleman from Massachusetts ask a question?

Mr. WALSH. I yield to the gentleman from Pennsylvania.

Mr. ROBBINS. Why is this service placed under the Army? Does not the Navy maintain a mine-sweeping fleet?

Mr. KAHN. The Navy does not maintain this mine-planting service.

Mr. WALSH. It is connected with the forts.

Mr. KAHN. It has always been under the Coast Artillery. This work is done within or immediately at the entrance of the harbors.

Mr. ROBBINS. It is all done by boats, is it not?

Mr. KAHN. It is all done by Coast Artillery boats. Mine planters, special boats built for that service. It has always been operated by the War Department. It has never been operated by the Navy.

Mr. ROBBINS. Will there not be some conflict between the Navy and the Army about this?

Mr. KAHN. None whatever, because the mine planters are operating now under the War Department.

The SPEAKER. The time of the gentleman from Massachusetts has expired.

Mr. ROBBINS. I move to strike out the last two words. I want to find out further what increased expense this proposed new fleet of mine sweepers that the Army is going to operate is going to put upon the Government.

Mr. KAHN. These vessels are mine planters—not mine sweepers. As I understand it, it is proposed to pay these men the wages they have been getting; but I explained at the beginning that these employees at the present time are civilians. They can leave at any moment, and they do frequently leave their positions. In war it is necessary to have these men when you need them. That is the purpose of the legislation.

Mr. ROBBINS. I understood that, but I ask now, what increase of expense this proposes to entail upon the Government?

Mr. KAHN. As I understand it, there will be no increase of expense.

The SPEAKER. The pro forma amendment is withdrawn. The question is on the engrossment and third reading of the bill.

Mr. DENT. Mr. Speaker, there is an amendment I would like to offer, to perfect the bill, in accordance with the present law. On page 3, line 4, after the figures "\$30," I move to insert the figures "\$33."

This amendment is suggested by the Secretary of War in order to conform to the present law as to the increase in the pay of privates.

The SPEAKER. The gentleman from Alabama offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. DENT: Page 3, line 4, after the figures "\$30," insert the figures "\$33."

Mr. MEEKER. Mr. Speaker, I move to strike out the last word just for the purpose of asking to insert in the Record a short interview with a very prominent Army officer in regard to desk officers. I do this in order that both sides of this question may have a fair hearing.

The SPEAKER. The gentleman from Missouri asks unanimous consent to extend his remarks in the Record about desk officers. Is there objection?

There was no objection.

The SPEAKER. The pro forma amendment is withdrawn. The question is on the amendment offered by the gentleman from Alabama [Mr. DENT].

The amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill as amended was ordered to be engrossed and read a third time, and was accordingly read the third time and passed.

On motion of Mr. DENT, a motion to reconsider the vote by which the bill was passed was laid on the table.

REIMBURSEMENT OF EXPENSES OF ENLISTED MEN.

Mr. DENT. Mr. Speaker, I call up the bill (H. R. 9163) to provide for reimbursement of actual expenses or flat per diem for enlisted men traveling on duty under competent orders.

The SPEAKER. The gentleman from Alabama calls up a bill, which the Clerk will report by title.

The Clerk read the title of the bill.

The SPEAKER. This bill is on the Union Calendar.

Mr. DENT. I ask unanimous consent to consider the bill in the House as in Committee of the Whole.

The SPEAKER. The gentleman from Alabama asks unanimous consent to consider this bill in the House as in Committee of the Whole. Is there objection?

There was no objection.

The bill was read, as follows:

Be it enacted, etc., That hereafter, under such regulations and within such maximum rates as may be prescribed by the Secretary of War, enlisted men may be reimbursed for actual expenses of travel, including subsistence and lodging, incurred while traveling under competent orders and not embraced in the movement of troops, or they may be paid a flat per diem therefor in lieu of such reimbursement.

Mr. DENT. Mr. Speaker, under the present law an enlisted man traveling, for instance, as a guard with a prisoner would get only \$1.50 per day, which, of course, is not sufficient to pay the expenses of himself and his prisoner. The object of this bill is simply to pay him his actual expenses. That is all there is to it.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was accordingly read the third time and passed.

On motion of Mr. DENT, a motion to reconsider the vote by which the bill was passed was laid on the table.

RESERVE OFFICERS' TRAINING CORPS.

Mr. DENT. Mr. Speaker, I call up the bill (H. R. 9098) to suspend for the period of the present emergency sections 45, 46, and 56 of "An act for making further and more effectual provisions for the national defense, and for other purposes," approved June 3, 1916, and for other purposes.

The SPEAKER. The gentleman from Alabama calls up a bill, which the Clerk will report by title.

The Clerk read the title of the bill.

The SPEAKER. The bill is on the Union Calendar.

Mr. DENT. I ask unanimous consent that it be considered in the House as in Committee of the Whole.

The SPEAKER. The gentleman from Alabama asks unanimous consent that this bill will be considered in the House as in Committee of the Whole. Is there objection?

There was no objection.

The SPEAKER. The Clerk will report the bill.

The bill was read, as follows:

Be it enacted, etc., That sections 45, 46, and 56 of "An act for making further and more effectual provision for the national defense, and for other purposes," approved June 3, 1916, be, and they hereby are, suspended for and during the period of the present emergency, but for such period only, and that upon the termination of said emergency said suspension shall cease and terminate and said sections shall thereupon be and become reinstated and of the same force and effect as if this suspension had not been made.

SEC. 2. That during the present emergency the President be, and he hereby is, authorized to detail such number of officers of the Army of the United States, either active or retired, not above the grade of colonel, as may be necessary for duty as professors and assistant professors of military science and tactics at institutions where one or more

units of the Reserve Officers' Training Corps are maintained; but the total number of active officers so detailed at educational institutions shall not exceed 1,000, and no officer shall be so detailed who has not had at least one year's commissioned service in the Army of the United States. Retired officers below the grade of lieutenant colonel so detailed shall receive the full pay and allowances of their grade, and retired officers above the grade of major so detailed shall receive the same pay and allowances as a retired major would receive under like detail.

SEC. 3. That during the present emergency the President be, and he hereby is, authorized to detail for duty at institutions where one or more units of the Reserve Officers' Training Corps are maintained such number of enlisted men, either active or retired, of the Army of the United States as he may deem necessary, but the active noncommissioned officers so detailed shall have had at least one year's active service, and the total number of such active noncommissioned officers so detailed shall not exceed 3,000, and shall be additional in their respective grades to those otherwise authorized for the Army of the United States. While detailed under the provisions of this section retired noncommissioned officers of the Army of the United States shall receive active pay and allowances.

SEC. 4. That during the present emergency such arms, tentage, and equipment as the Secretary of War shall deem necessary for proper military training shall be supplied by the Government to schools and colleges other than those provided for in section 47 of the national-defense act approved June 3, 1916, having a course of military training prescribed by the Secretary of War and having not less than 100 physically fit male students above the age of 14 years, under such rules and regulations as he may prescribe; and the Secretary of War is hereby authorized during the present emergency to detail commissioned and noncommissioned officers of the Army of the United States to said schools and colleges, detailing not less than one such officer or noncommissioned officer to each 500 students under military instruction; but no officer or noncommissioned officer shall be so detailed who has not had at least one year's active service in the Army of the United States.

Mr. BUTLER. Mr. Speaker, let us have some explanation of this bill.

Mr. LITTLE. Will the gentleman from Alabama define very briefly just exactly what is the Reserve Officers' Training Corps?

Mr. DENT. That is the training corps in the schools and colleges, provided by the national-defense act.

Mr. LITTLE. For what purpose, exactly? I know in a general way, but I should like a further explanation.

Mr. DENT. The bill speaks for itself. It is to provide officers to be instructors in schools which maintain one or more units of the Reserve Officers' Training Corps. It is for the training of officers so that they can be called into the service after they are trained. They agree and understand that they will be subject to be called into the service after they get the training. That is under the national-defense act.

Mr. LITTLE. And the Reserve Officers' Training Corps people are liable to be called into the service?

Mr. DENT. Undoubtedly.

Mr. KAHN. I think the gentleman from Alabama misunderstood the question of the gentleman from Kansas. The purpose of this legislation—

Mr. DENT. The gentleman from Kansas was not asking about the purpose of the legislation.

Mr. LITTLE. No; I am satisfied with the purposes of the legislation, but I thought it was a good time to get a little information.

Mr. BUTLER. Will the gentleman yield?

Mr. DENT. I will.

Mr. BUTLER. I understand this applies only to the schools and colleges which heretofore have had assignments of Army officers for the purpose of instruction.

Mr. DENT. Yes; and any that may be assigned.

Mr. BUTLER. How about the high schools, the public schools?

Mr. DENT. It depends upon whether the War Department recognizes them. The object of this bill is simply this, in a nutshell: Under the present law only officers of the Regular Establishment can be assigned to schools and colleges. The War Department anticipates that there will be a great many National Guard officers and National Army officers returned from the front injured in such a way that they could not go into the trenches and see active service, but can go to these schools and colleges; and it is simply to extend to the officers of the National Guard and the National Army the right of assignment to these schools and colleges so as to increase the number of available officers.

Mr. BUTLER. And if a high school should ask for a detail the War Department would be authorized to send an officer there?

Mr. DENT. Yes.

Mr. ALEXANDER. Provided they have a sufficient number of pupils.

Mr. BUTLER. Yes. I want to say that in my home town we have the only universal military training found in the United States. Noncommissioned officers are drilling these boys—180 in number. I have a letter from the superintendent of the public schools this morning saying that one would scarcely appreciate

the improvement in these high-school boys since they began training. It is the only place in the United States where such military training is had.

Mr. DENT. Mr. Speaker, I ask unanimous consent to substitute the Senate bill on the same subject for the House bill.

The SPEAKER. The gentleman from Alabama asks unanimous consent to consider the Senate bill in lieu of the House bill.

Mr. WALSH. May I ask if they are identical?

Mr. DENT. They are except perhaps in a minor particular; the only difference is that in the House bill it refers to the present emergency while in the Senate bill it refers to the present war.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. The Clerk will report the Senate bill.

The Clerk read the bill S. 3528, as follows:

An act (S. 3528) to suspend for the period of the present war sections 45, 46, and 56 of an act entitled "An act for making further and more effectual provision for the national defense, and for other purposes," approved June 3, 1916, and for other purposes.

Be it enacted, etc., That sections 45, 46, and 56 of an act entitled "An act for making further and more effectual provision for the national defense, and for other purposes," approved June 3, 1916, be, and they hereby are, suspended for and during the period of the present war, but for such period only, and that upon the termination of said war said suspension shall cease and terminate and said sections shall thereupon be and become reinstated and of the same force and effect as if this suspension had not been made.

Sec. 2. That during the present war the President be, and he hereby is, authorized to detail such number of officers of the Army of the United States, either active or retired, not above the grade of colonel, as may be necessary for duty as professors and assistant professors of military science and tactics at institutions where one or more units of the Reserve Officers' Training Corps are maintained; but the total number of active officers so detailed at educational institutions shall not exceed 1,000, and no officer shall be so detailed who has not had at least one year's commissioned service in the Army of the United States. Retired officers below the grade of lieutenant colonel so detailed shall receive the full pay and allowances of their grade, and retired officers above the grade of major so detailed shall receive the same pay and allowances as a retired major would receive under like detail.

Sec. 3. That during the present war the President be, and he hereby is, authorized to detail for duty at institutions where one or more units of the Reserve Officers' Training Corps are maintained such number of enlisted men, either active or retired, of the Army of the United States as he may deem necessary, but the active noncommissioned officers so detailed shall have had at least one year's active service, and the total number of such active noncommissioned officers so detailed shall not exceed 3,000, and shall be additional in their respective grades to those otherwise authorized for the Army of the United States. While detailed under the provisions of this section retired noncommissioned officers of the Army of the United States shall receive active pay and allowances.

Sec. 4. That during the present war such arms, tentage, and equipment as the Secretary of War shall deem necessary for proper military training shall be supplied by the Government to schools and colleges other than those provided for in section 47 of the national-defense act approved June 3, 1916, having a course of military training prescribed by the Secretary of War, and having not less than 100 physically fit male students above the age of 14 years, under such rules and regulations as he may prescribe; and the Secretary of War is hereby authorized during the present war to detail commissioned and noncommissioned officers of the Army of the United States to said schools and colleges, detailing not less than 1 such officer or noncommissioned officer to each 500 students under military instruction; but no officer or noncommissioned officer shall be so detailed who has not had at least one year's active service in the Army of the United States.

Mr. ROBBINS. Mr. Speaker, I move to strike out the last word. On page 3, section 4, line 17, it provides that the Secretary of War shall detail an instructor to each 500 students under military instruction. Above that, in the same section, it provides for schools having not less than 100 physically fit male students above the age of 14 years. Now, that seems to be inconsistent, and I think there should be an amendment providing for 1 for every 500 students or fraction thereof.

Mr. WALSH. If the gentleman will yield, the first part of the section only applies to tentage and equipment, and not to instructors.

Mr. DENT. Will the gentleman refer me to the line and section that he wishes to amend?

Mr. ROBBINS. Page 3, section 4, line 17 and line 24. I want to ask if that refers to tentage and equipment, as suggested by the gentleman from Massachusetts, or to students?

Mr. KAHN. The gentleman from Massachusetts is right. The first part refers to tentage and equipment that the Secretary of War is allowed to furnish them for instruction. The latter part refers to the number of instructors. I believe it is entirely in accord with the provisions of the national-defense act. There is one instructor for every 500 students.

Mr. ROBBINS. And must be one for every 100 students at least—

Mr. KAHN. No; there is no school that has fewer than 100 that can get the instruction.

Mr. ROBBINS. That is the smallest number provided for?

Mr. KAHN. Precisely; and they can have one instructor for 100 pupils up to 500, and if they have more than 500 they can get an additional instructor.

Mr. ROBBINS. Mr. Speaker, I withdraw the pro forma amendment.

Mr. DENT. Mr. Speaker, I move the previous question on the bill.

The previous question was ordered.

The bill was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. DENT, a motion to reconsider the vote whereby the bill was passed was laid on the table.

The House bill (H. R. 9098) was laid on the table.

INDEMNITY FOR DAMAGES CAUSED BY AMERICAN FORCES ABROAD.

Mr. DENT. Mr. Speaker, I call up the bill (H. R. 9901) to give indemnity for damages caused by American forces abroad.

The Clerk read the bill, as follows:

Be it enacted, etc., That claims of inhabitants of France or of any other European country for damages caused by American military forces may be presented to any officer designated by the President, and when approved by such an officer shall be paid under regulations made by the Secretary of War.

Sec. 2. That claims under this statute shall not be approved unless they would be payable according to the law or practice governing the military forces of the country in which they occur.

Sec. 3. That hereafter appropriations for the incidental expenses of the Quartermaster Corps shall be available for paying the claims herein described.

Sec. 4. That this statute does not supersede other modes of indemnity now in existence and does not diminish responsibility of any member of the military forces to the person injured or to the United States.

Mr. DENT. Mr. Speaker, I ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

The SPEAKER pro tempore (Mr. FOSTER). The gentleman from Alabama asks unanimous consent to consider this bill in the House as in Committee of the Whole House. Is there objection?

There was no objection.

Mr. DENT. Mr. Speaker, I yield to the gentleman from California [Mr. KAHN].

Mr. KAHN. Mr. Speaker, in the Army appropriation bill there has been for many years a provision for the appropriation of a lump sum to pay the damages caused in this country by our troops in their maneuvers—damages like broken windows, broken fences, tramping down crops, and so on. This simply attempts to do the same thing in foreign lands, where our troops are now operating, or in a country where they may happen to be. The War Department feels that in European countries, where the American troops do damage of any kind, it is very desirable that the inhabitants of these countries be speedily paid the damage that has been incurred.

This bill simply provides for such relief and gives the War Department the right to pay the damages as soon as they are investigated by an Army officer and recommended by him for payment.

Mr. WALSH. Mr. Speaker, will the gentleman yield?

Mr. KAHN. Yes.

Mr. WALSH. I notice in the letter from the Secretary of War he says that the proposed legislation will not supersede the one hundred and fifth article of war but will facilitate its enforcement. Can the gentleman state, briefly, what that article has to do with this?

Mr. KAHN. I believe that article allows payments of damages for property destroyed. Of course that is only operative in this country, and this will make it operative in a foreign country.

Mr. WALSH. Of course it is not intended that this legislation will permit a person having, for instance, a residence along the battle front, which has been blown up, to recover damages.

Mr. KAHN. Oh, no.

Mr. WALSH. It is only in the movement, operation, and maintenance of troops not engaged in actual battle?

Mr. KAHN. Exactly. It is for damages that occur by reason of the operation of troops in France going to or coming from the front or while in billets and not in action.

Mr. WALSH. The gentleman's former statement was a little broader than that, and I thought he did not intend it.

Mr. KAHN. No; the law in this country now on the statute books only allows payment of damages done during maneuvers.

Mr. WALSH. But this provides that damages which are payable by the law of the country in which they are committed could be compensated for under this act; so that if in France certain damages are inflicted which under our law could not be paid for under this act compensation would have to be made.

Mr. KAHN. It is believed by the War Department that on account of the comity that exists between the two nations we ought to be willing to meet these things frankly, fully, and freely. The people of France, of course, cooperating with our troops, would probably look to the United States to pay them for damages which they could secure under their own law if their own soldiers had done the damage. I want to say to the gentleman that I think that in all nations the law is practically identical regarding damages done by troops during maneuvers.

Mr. MILLER of Minnesota. Mr. Speaker, I would like to ask the gentleman from Alabama a question, having in mind what the gentleman from California [Mr. KAHN] has just said that damages contemplated to be compensated in this way are confined to those of maneuvers, and only to maneuvers.

Mr. KAHN. Maneuvers and movements of troops.

Mr. MILLER of Minnesota. I would include that in maneuvers—movements of troops back and forth. The gentleman intended to include utilization of land for training purposes?

Mr. KAHN. No.

Mr. MILLER of Minnesota. School purposes?

Mr. KAHN. No.

But assuming that is the import of the bill, there can be no objection to it, but that is not the language of the bill. The language is this:

That claims of inhabitants of France or of any other European country for damages caused by American military forces.

There is nothing to confine that to maneuver, nothing to confine it to anything, but it is as broad and sweeping as any language could possibly be—

caused by American military forces.

Mr. DENT. I call the gentleman's attention to the language—

under regulations made by the Secretary of War.

Mr. MILLER of Minnesota. That extends only to the payment and not to the character of the injury that would justify a claim for damages.

Mr. KAHN. Mr. Speaker, I desire to call the gentleman's attention to section 2.

Mr. MILLER of Minnesota. Yes; I have read section 2, and that in one sense limits it, but not in the sense I mentioned—

That claims under this statute shall not be approved unless they would be payable according to the law or practice governing the military forces of the country in which they occur.

As they are likely all to occur in France or possibly some in Belgium, whether or not the case constitutes a claim depends upon the local law of France and Belgium, not upon the American law, and nobody here knows what the law of France or Belgium is or what it will be in a week or two weeks from now. That in one sense limits it, but not to the extent the criticism indicated. Let me call the gentleman's attention to this. The cases which may result in a claim are any acts performed by the American military forces, and these claims can be presented to any officer designated by the President; but here is the language—

and when approved by such an officer shall be paid under regulations made by the Secretary of War.

The regulations of the Secretary of War extend only to the manner of payment and do not extend to anything else. This officer has no latitude. It does not say they may be paid, but they shall be paid.

Mr. KAHN. Under such regulations as the Secretary of War shall make. And let me call to the attention of the gentleman from Minnesota what the Secretary of War said on this subject.

The proposed law provides for the prompt payment under such regulations as the Secretary of War may make or may cause to be made, of all claims for injury to persons and damage to property resulting from the presence of United States military sources in Europe. Gen. Pershing informs the War Department that the inability to pay claims for the injury due to and expenses caused by Government motor vehicles and other causes result in much hardship and injustice to French people and seriously injures the reputation of the American Army in France as compared with the reputation of the British forces.

And it is in order to obviate that complaint and to establish a more friendly feeling toward the American soldier in France that the War Department asks for this legislation.

Mr. DENT. As I understand the criticism of the gentleman from Minnesota is to "when approved by such an officer" over there it will be absolutely binding.

Mr. MILLER of Minnesota. Absolutely.

Mr. DENT. Why?

Mr. MILLER of Minnesota. I would like to have the gentleman point out wherein I am incorrect.

Mr. DENT. The language reads:

Damages caused by American military forces may be presented to any officer designated by the President, and when approved by such an officer shall be paid under regulations made by the Secretary of War.

Now, the regulations to be made by the Secretary of War cover the whole case.

Mr. MILLER of Minnesota. I can not agree with the gentleman that assumption is not found in law, and I am sure the gentleman will agree with me—

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. GREEN of Iowa. Will the gentleman yield? I move to strike out the last word.

Mr. MILLER of Minnesota. Mr. Speaker, I desire to be recognized to strike out the last word.

The SPEAKER pro tempore. The gentleman has had five minutes.

Mr. MILLER of Minnesota. I have not had any time.

The SPEAKER pro tempore. The Chair understood the gentleman was given recognition for five minutes.

Mr. MILLER of Minnesota. Then I ask unanimous consent for five minutes more.

The SPEAKER pro tempore. The gentleman from Minnesota asks unanimous consent for five minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. MILLER of Minnesota. I am not going to vote against this, but I believe it is not quite exact or the correct thing at all, but I recognize the necessity of passing some such bill, and for that reason I am willing to vote for it, but I am not going to let it go by without pointing out wherein it is defective. Now, the gentleman's contention, as I understand it, is that these claims are to be presented under such regulations and rules as the Secretary of War may prescribe. Well, I submit that is not the language of the bill, and that could not be construed as the meaning of the bill for this reason.

Mr. DENT. Now, the gentleman is a good lawyer, and, to expedite matters, how would he improve the language?

Mr. MILLER of Minnesota. I would not use that language at all.

Mr. DENT. I asked the gentleman how to improve it.

Mr. MILLER of Minnesota. This language says that these claims—

May be presented to any officer designated by the President and when approved by such officer shall be paid.

Now, that should be, "may be paid."

Mr. DENT. I will accept that amendment.

Mr. MILLER of Minnesota. Under rules and regulations under authority of the Secretary of War. The regulations that the Secretary can make relate only to the manner and method of payment and not to adjudication of the claim.

Mr. DENT. I will accept the amendment.

Mr. GREEN of Iowa. Let me suggest to the gentleman that the amendment ought not to be accepted, and when I can get time I think I will be able to show it.

Mr. MILLER of Minnesota. I only want one more moment and then I will give up the floor. It seems to me that this bill is designed to reach the situation pointed out by the Secretary of War quoted from Gen. Pershing's request and the language of the bill should restrict the operations of the bill to that class of subjects. Why is it necessary to make it so sweeping; why is it necessary to employ such universal language? Why not say, "That claims of inhabitants of France or of any other European country for damages caused by American military sources while engaged in maneuvering or transportation within the boundaries of France?" There you have got the whole thing.

Mr. GREEN of Iowa. Has the gentleman finished?

Mr. MILLER of Minnesota. I would like to ask the gentleman's opinion of language of that kind.

Mr. DENT. I do not think that would hurt it at all, but I do not think it would accomplish anything.

Mr. KAHN. Will the gentleman yield?

Mr. MILLER of Minnesota. Let me point out one thing further. Under the articles of war of this Government the commander of an army engaged in actual military operations can commandeer, he can take food for himself and horses and clothing and anything necessary to carry on his campaign. Now, you do not propose these claims be adjudicated in this manner, I am sure, but they would be included—

Mr. WALSH. Is it not included in the 105th article of war?

Mr. MILLER of Minnesota. Yes.

Mr. WALSH. This does not supersede that.

Mr. KAHN. Will the gentleman allow me to suggest to the gentleman from Minnesota why this amendment would not meet a certain situation—

Mr. MILLER of Minnesota. No; the bill does not say the one hundred and fifth article shall prevail.

Mr. KAHN. And why it may not be desirable to have that language in the bill?

Mr. MILLER of Minnesota. I would like to ask the gentleman why.

Mr. KAHN. Here is my point: An officer is instructed to carry a dispatch to a certain place. He is not engaged in maneuvers. He starts off in an automobile, and going down the road at a fast rate on a dark night he runs over a pig belonging to a French peasant. Ought not that French peasant be paid for that loss?

Mr. MILLER of Minnesota. There is no question about it at all.

Mr. KAHN. And yet the limitation of the gentleman would preclude his getting pay for it.

Mr. MILLER of Minnesota. That language of limitations, if it does not cover the classification to which the gentleman refers, should be changed.

Mr. KAHN. Does not the gentleman think it would be better to leave those little details to the judgment of our officers on the other side, who are dealing with the inhabitants day after day?

Mr. MILLER of Minnesota. I am willing to indorse that wholeheartedly, and to accomplish it we should have a language to cover such class of cases as shall be designated by rules and regulations prescribed by the Secretary of War. Then there can be no objection to it.

Mr. GREENE of Vermont. What is the difference between that and what it is now?

Mr. DENT. In line 6—

Mr. MILLER of Minnesota. I do not care where you put it. The rules and regulations of the Secretary of War should relate back to the presentation and adjudication of the claims.

The SPEAKER pro tempore. The time of the gentleman from Minnesota has expired.

Mr. GREEN of Iowa. Mr. Speaker, I think this bill is just exactly in the form it ought to be now, and I believe I can give very good reasons for it. The second section provides—

That claims under this statute shall not be approved unless they would be payable according to the law or practice governing the military forces of the country in which they occur.

That is according to the law and practice of the military forces in France. Now, if the forces in France were operating in this country, we would not want our laws to be abrogated. We would want compensation to be paid in accordance with our law, and that is what the French want, and that is what they ought to have. We could not afford to be otherwise than liberal in these matters. We can not afford to stick on small things when the law of France gives some compensation. We ought to be willing to give the same compensation to the people of that country that their own laws give to them. That limits and prescribes exactly what shall be paid.

Mr. WALSH. The gentleman contends that there is no discrimination against our troops in France as against the British troops or the French troops or any other troops?

Mr. GREEN of Iowa. None whatever. It is what the other armies are doing. If that is what the British troops are doing, as I understand they are; if that is what the French troops are compelled by their own Government to do, and it follows the custom of our own military forces, then being over in that country and fighting by their side, we ought to be willing to do that ourselves. I do not think the bill needs any change as it stands.

Now, some criticism was made because the bill provided that these claims shall be paid when approved by the proper officer. Why not? When we have had them submitted to some officer, and he has gone over them and examined them, and found that they conform to the French law and custom of the country, and then, after hearing the evidence he finds that they are just, why should they not then be paid? What does "approved" mean? It means found correct and proper.

Mr. KAHN. That is exactly what is done in this country, some particular officer passes upon the bill, and then the bill is paid if damage is done here.

Mr. GREEN of Iowa. I thank the gentleman for the suggestion.

Mr. STAFFORD. Will the gentleman yield in that particular?

Mr. GREEN of Iowa. Yes.

Mr. STAFFORD. There are numerous cases in tort caused by the actions of our soldiers in this country connected with their military duty, in the way of driving automobile trucks which come in collision with private automobiles, say, whereby the claimants are obliged to come to Congress for recognition of damages. I did not know until the gentleman from California [Mr. KAHN] just mentioned it, that there was any provision made for that character of claims.

Mr. GREEN of Iowa. I am not prepared to state—

Mr. KAHN. And if the officer or soldier is performing some military duty and damages property in this country, or, under this law, damages a person, the damage ought to be allowed and paid. In this country it is paid where damages of that kind occur.

Mr. STAFFORD. Will the gentleman advise the House whether in case of a collision of an Army automobile truck driven on the highway with a privately owned vehicle there is any provision or regulation?

Mr. GREEN of Iowa. If the gentleman will pardon me—

Mr. STAFFORD. Is there any provision or regulation for the payment of that character of claim through departmental channels?

Mr. KAHN. I believe it can be paid.

Mr. STAFFORD. I am told there are many claims pending before the Committee on Claims of just that character.

Mr. KAHN. I understand where the damage is slight that they are invariably taken up and adjusted by the department out of the lump-sum appropriation that is made for that purpose.

Mr. GREEN of Iowa. Mr. Speaker, I do not care anything about that. The point I am trying to make is that this provides for compensation in the same manner, and according to the law and custom of the country in which our troops are operating. The same rule applies to British troops and to their own troops, and in fairness and justice we ought to be willing to do the same thing. And even if we should go a little beyond what we would consider proper in this country, it seems to me that we can under no circumstances afford to have any difficulty or bad feeling created. It is of the highest importance that good feeling should exist between the inhabitants of France and other friendly countries where our troops may be operating, and even if we should pay some claim that was somewhat exaggerated, or one for which no liability would arise in our own country, it would be well worth all it cost in sustaining the friendly feeling that now exists between us and those who are our allies in fact if not in name.

Mr. LITTLE. Mr. Speaker, none of the gentlemen have touched what seems to me to be a very loosely drawn portion of this bill. Under this bill, interpreted by any rule of law, you have provided for the claims of the German people. If our Army stays in France, of course, it would only apply to France, but we legislate on the theory that they are going to Berlin. If you run over a pig in Germany, under the laws of that country you would have to pay for it. It says:

Claims of inhabitants of France or any other European country—

Which is Germany—

for damages caused by American military forces.

God knows we hope we will cause them a whole lot. We expect to go there.

Now, "claims under this statute shall not be approved unless they would be payable according to the law or practice governing the military forces of the country in which they occur." They will occur in Germany, and under their law we would be liable; and that is the kind of a law you are making.

Mr. GREEN of Iowa. What statute has the German in his country?

Mr. WALSH. Under what theory does the gentleman contend that a law of the United States heretofore made or hereafter made during the continuance of this war includes our enemies?

Mr. LITTLE. Because it says so.

Mr. WALSH. No. The gentleman is entirely wrong.

Mr. DENT. I would like to ask the gentleman this question: If he thinks any commanding officer of the American forces will ever approve a claim against us by Germany?

Mr. LITTLE. That is the answer that I expected. The gentleman from Massachusetts [Mr. WALSH] suggests that there is no theory under which it can be done. There never was until the committee brought in a bill authorizing it and suggesting it. That is the kind of a bill you have brought in.

A gentleman on the other side asked whether it was possible that anybody who has any sense would approve such a claim under this measure. If you pass this bill, the Congress of the United States will have authorized it. Has not this House got as much sense as you expect the American commanding officer to have? You are depending on the American officers to see to it that the law you pass is not enforced. Thank God, the American officer will have sense enough to see that it is not. But have we not sense enough to pass a law that a boy will not break if he does his duty?

Mr. DENT. Let me remind the gentleman that we have forces in England, in training in England, and we may send some forces into Italy.

Mr. LITTLE. Yes; and we are going to have some in Germany pretty soon, I hope.

Mr. DENT. I hope so. This bill was drawn by the War Department.

Mr. LITTLE. That does not improve things any. I suspected that.

Of course, gentlemen, I realize that no American officer is going to enforce this particular feature that I suggest might be enforced, but that is no answer to my criticism. It is the duty of this House to draw its statutes so that they will not be open to misconception. We must not leave it to the officers. This House must have as good judgment as the officer is expected to

have. When you are about it, why not frame it so as to meet the situation? The bill should read, "The claims of the inhabitants of France or any other European country except the enemies of this country," or some little phrase like that. Then you will not have made yourselves ridiculous for all time.

Mr. GORDON. Mr. Speaker, will the gentleman yield there?

Mr. LITTLE. Yes.

Mr. GORDON. Would an officer or any other American citizen be guilty of giving aid and comfort to the enemy by doing the very thing you suggest, or would he not?

Mr. LITTLE. You are going to vote for a bill to do it.

Mr. GORDON. Certainly not. You could not do the thing you suggest without being guilty of treason.

Mr. LITTLE. What are we doing, then? We are simply depending upon the officer to safeguard the place you have left open. You authorize him to commit treason and rely on him not to. To think that the boy has sense enough to see that this is not done is not a good reason why we should not guard against it. When you draw your legislation, gentlemen, you should draw it so that it says what we mean and means what we say, so that such criticisms would not arise.

Mr. ROBBINS. Mr. Speaker, will the gentleman yield?

Mr. LITTLE. Yes.

Mr. ROBBINS. Does not the gentleman think that an amendment, right after the word "country," reading something like this, "with whom we are at war," would do what is desired?

Mr. LITTLE. Yes; that is what I said.

Mr. GREENE of Vermont. What would you do in the case of Turkey?

Mr. ROBBINS. Yes; and what would you do in the case of Spain?

Mr. GREENE of Vermont. We are really at war with Turkey, but technically at peace. Spain is a neutral country. If we saw the Turkish troops alongside of German troops, we would kill the Turks as well as the Germans, would we not?

Mr. LITTLE. Of course; and this applies to Bulgaria and Turkey and Switzerland and Holland.

The SPEAKER pro tempore. The time of the gentleman from Kansas has expired.

Mr. ROBBINS. Mr. Speaker, I offer an amendment.

The SPEAKER pro tempore. The Clerk will read the bill first, and then the amendment.

The Clerk read the bill, as follows:

A bill (H. R. 9901) to give indemnity for damages caused by American forces abroad.

Be it enacted, etc., That claims of inhabitants of France or of any other European country for damages caused by American military forces may be presented to any officer designated by the President, and when approved by such an officer shall be paid under regulations made by the Secretary of War.

SEC. 2. That claims under this statute shall not be approved unless they would be payable according to the law or practice governing the military forces of the country in which they occur.

SEC. 3. That hereafter appropriations for the incidental expenses of the Quartermaster Corps shall be available for paying the claims herein described.

SEC. 4. That this statute does not supersede other modes of indemnity now in existence and does not diminish responsibility of any member of the military forces to the person injured or to the United States.

Amendment offered by Mr. ROBBINS: Page 1, line 4, after the word "country," insert "with whom we are at war."

Mr. DENT. Well, Mr. Speaker, in order that gentlemen may write the bill to suit themselves, I hope that amendment will be adopted. Does the gentleman from Massachusetts object to it?

Mr. WALSH. Surely.

Mr. ROBBINS. Mr. Speaker, the amendment is only intended to clarify what the law seeks to accomplish. The purposes of the bill are perfectly proper. It simply means to pay damages where damages are allowed in the countries where the American Expeditionary Forces may be operating and commit those damages. But if those damages are committed in a country like Spain, a neutral country, so far as we are concerned, or in a country like Turkey, with which we are not at war, but with which we are hostile, to all intents and purposes, we ought not to pay damages in a case of that kind, should such damage occur to Turkey; not only in the countries of our allies or neutrals, but also in countries with which we are at war may damages arise which would be covered by this bill as it now is.

Now, we shall invade Germany, no doubt, and there will be damages that will be committed by the movement of troops or by the transmission of supplies, and matters of that kind. This bill ought to be clear as to the character of damages we are to pay under its provisions and the persons who are entitled to claim under its terms.

Now, to illustrate by referring to something with which I am familiar, in the National Guard of Pennsylvania every year when we were in camp we damaged private property, such as passing over cultivated fields in the maneuvers and breaking down fences in the march, more or less. Those damages are

all examined into and paid by the quartermaster's department, who settles and pays them immediately after the damages occur.

I suggest that in this bill provision should be made for some officer to conduct the investigation and ascertain the facts, and then pay the damages as the evidence would show it should be paid. We ought to define in this statute the countries and citizens that are entitled to make such claims.

Mr. REAVIS. Mr. Speaker, will the gentleman yield?

Mr. ROBBINS. Yes.

Mr. REAVIS. The damages done by the National Guard are done in our own country. How is our Army to get into a neutral country?

Mr. KAHN. By violating the neutrality of that country.

Mr. ROBBINS. They could get in by a movement, either in advance or otherwise, as military strategy may require at the time.

Mr. REAVIS. Not without violating the neutrality of that country. It would be tantamount to a declaration of war if we did get in, so that there can be no damages in a neutral country.

Mr. ROBBINS. This law ought to be so clear that it should not be necessary to come to Congress to amend it in the near future when any emergency would arise.

Mr. GREENE of Vermont. If we violate the neutrality of a country we would be at war with it, and consequently this act would not apply.

Mr. ROBBINS. That would not be war. We could invade a country and commit damage and not be at war, or even cause war.

Mr. GREENE of Vermont. Germany went into Belgium and violated her neutrality. Was not that considered an act of war and resented as such?

Mr. ROBBINS. Because she did not get the right to go in. She invaded by force, which is an act of war.

Mr. GREENE of Vermont. It was the going in which constituted the act of war.

Mr. ROBBINS. But the kind of case which is considered here is one where our Army would go in without any hostile intention. Suppose we sent an army through Canada, or if our port of entry was temporarily interrupted in France and we would move through Spain. It would not be war unless we forcibly entered; yet we might cause damage, and such should be paid under this bill.

Mr. GREENE of Vermont. That is exactly what Belgium was asked to do—to let the German Army go through Belgium for the purpose of attacking France.

Mr. SLAYDEN. Mr. Speaker, while it is not likely to happen, and no such thing is contemplated, and I sincerely hope no such circumstances will arise as to compel our troops ever to seek refuge either in Spain or in Switzerland, it is conceivable that they might do so. In the Franco-Prussian war of 1870 large bodies of troops went into Switzerland to avoid capture.

Mr. ROBBINS. These troops went across the boundary not for war but safety. Such damage should be paid.

Mr. SLAYDEN. Now, they might have done damage there, and naturally the Government of France would be responsible for it and pay for it.

Mr. GREENE of Vermont. Would the gentleman suggest that this Congress is now in a mood to prepare against the possible defeat and flight of our Army?

Mr. SLAYDEN. No.

Mr. ROBBINS. No; that is not the thought at all. We are here endeavoring to prepare an act of Congress and not speculating about our Army. It will not be defeated. It will never retreat.

Mr. SLAYDEN. I distinctly stated in the beginning that it was unlikely to happen, and that it contemplated no such thing, but it is conceivable that they might go into Switzerland.

Mr. GREENE of Vermont. It is not conceivable to me.

Mr. KAHN. The words "the claims of inhabitants of France or of any other European country" would take care of Switzerland and Spain.

Mr. SLAYDEN. I am not objecting—

Mr. ROBBINS. It should be clarified by inserting the words "with which we are not at war," which is the amendment I propose, after the word "country."

Mr. WALSH. Mr. Speaker, I am opposed to the amendment of the gentleman from Pennsylvania [Mr. ROBBINS]. While we are at war with Germany and her allies, I do not think any act we pass can be susceptible of conferring any benefit upon the inhabitants of Germany. It seems to me that is the height of absurdity. We are at war with Germany, and we are at war with her allies, and any law that we have heretofore passed, or that we may pass now or in the future, can not confer any benefit upon our enemies. By every rule of interpretation and by every rule of international law the legislation that we pass can be interpreted only as conferring rights, privileges, or bene-

fits upon our own people, or upon people who are associated with us in fighting the common enemy. Of course, we can not include Germany in this act, and if anybody sought to advocate or further a claim for damages inflicted upon property in Germany or in Austria, or owned by Germans or Austrians in any other land, by the American Expeditionary Forces, it would be seeking certainly not to assist our own troops, but would be indirectly aiding the troops or the cause of Germany. We have already passed an act taking care of alien property within our own borders, or within our own jurisdiction.

Mr. LONGWORTH. Of course, this is an improbable contingency, but is it not a fact that the bill as it stands might be construed as providing that we would be liable for damages if our troops destroyed any property in Turkey or Bulgaria?

Mr. WALSH. No; I believe not.

Mr. LONGWORTH. Why not?

Mr. WALSH. Because, although we have not declared war against Turkey or Bulgaria, we are at war with Germany and with nations associated with Germany in this war; and while we have not specifically declared war against Turkey or Bulgaria, they are in such a situation, under the declaration of war, and under the contest which is now being waged, that we could not confer any benefit by legislation upon Turkey or Bulgaria.

Mr. LONGWORTH. Congress has definitely decided, as I believe wrongly, not to declare war against Turkey or Bulgaria at present, and therefore under this law we would be liable in damages for any injuries committed by our troops against the property of those countries.

Mr. WALSH. Congress has decided not to declare war specifically against Turkey or Bulgaria, but the military authorities are not precluded thereby from blowing up Turkish property or destroying a Turkish force if they get in our way; and if the military authorities do that it is war, and this law would not give Turkey or any of its inhabitants any right to claim damages.

Mr. LONGWORTH. Who decides that it is an act of war? Under this bill we are liable in damages.

Mr. WALSH. Mr. Speaker, I do not think it requires any legislation to lay down the principle that no country which is opposing the forces of the United States in this present emergency needs to be explicitly exempted or taken out of legislation which is passed to confer rights and privileges upon other people.

Mr. MILLER of Minnesota. Will the gentleman yield for a question?

Mr. WALSH. Yes; I yield to the gentleman from Minnesota.

Mr. MILLER of Minnesota. Assuming that the American troops in an offensive movement cross over and move upon German territory and destroy civilian property in the course of the operation. Does the gentleman mean to say that Congress could not, if it desired, pass a law that would give compensation to private citizens of Germany for the loss of such property?

Mr. WALSH. I suppose Congress could go through the form of putting such legislation on the statute books, but I have grave doubts as to whether any such legislation as that could properly be enforced.

Mr. MILLER of Minnesota. Why could it not be enforced?

Mr. WALSH. And also I have serious doubts as to whether or not that legislation would be consistent with the action of this country in prosecuting the struggle under its declaration of war.

Mr. MILLER of Minnesota. The gentleman and I are not at all far apart on that particular point, but I am directing this to the gentleman's opinion as a lawyer. Has Congress the power, and is it competent to pass a law that would be binding upon the people of the United States, to compensate civilians in Germany for private property necessarily destroyed in the course of the military operations performed by our troops on the soil of Germany?

Mr. WALSH. Does the gentleman mean during this war?

Mr. MILLER of Minnesota. During this or any other war.

Mr. WALSH. I do not think Congress can do so, in view of its declaration of war.

Mr. SLAYDEN. It would not, anyway.

Mr. CRAGO. Let me call the gentleman's attention to the fact that this is not a bill making any new claims against the Government. It is only a bill providing how bills can be paid at once, in order that they may not accumulate and come in as omnibus claims in the future.

Mr. WALSH. Yes; and to put our troops upon the same footing as French troops and the other troops of our allies.

Mr. DEWALT. Mr. Speaker, I desire to offer an amendment.

Mr. DENT. I move the previous question on the bill and all amendments to the final passage.

Mr. MILLER of Minnesota. Will the gentleman withhold that motion?

Mr. ROBBINS. The bill has not been read yet.

Mr. MILLER of Minnesota. Mr. Speaker, I have an amendment that I want to offer.

Mr. LONGWORTH. Is not the bill being read under the five-minute rule?

The SPEAKER pro tempore. The bill is being read for amendment.

Mr. ROBBINS. A parliamentary inquiry, Mr. Speaker.

The SPEAKER pro tempore. The gentleman will state it.

Mr. ROBBINS. Is it not the proper thing to dispose of my amendment?

The SPEAKER pro tempore. Yes; after the previous question is ordered.

Mr. MILLER of Minnesota. I make the point of order that the motion of the gentleman from Alabama is not in order, because we are reading the bill under the five-minute rule and the bill has not been completed.

Mr. SAUNDERS of Virginia. Mr. Speaker, the motion of the gentleman from Alabama is in order. When the bill is under consideration under the five-minute rule that is not the first reading. He can move the previous question and cut off any further reading or debate of the bill under the five-minute rule.

The SPEAKER pro tempore. The gentleman from Virginia has stated the rule correctly. The question is on ordering the previous question on the bill and amendments to final passage.

Mr. MILLER of Minnesota. Is that motion to the entire bill?

The SPEAKER pro tempore. The entire bill.

Mr. MILLER of Minnesota. But the entire bill has not been read.

The SPEAKER pro tempore. The point of order is overruled, and the question is on the motion of the gentleman from Alabama for the previous question.

The question was taken, and the motion for the previous question was rejected.

Mr. DENT. Mr. Speaker, I ask unanimous consent that all debate on this bill and amendments thereto be closed in 10 minutes, the gentleman from Minnesota [Mr. MILLER] to have 5 minutes and the gentleman from Pennsylvania [Mr. DEWALT] 5 minutes.

Mr. REAVIS. Reserving the right to object, I would like five minutes.

Mr. DENT. I will make it 15 minutes.

The SPEAKER pro tempore. The gentleman from Alabama asks unanimous consent that all debate on this bill shall close in 15 minutes. Is there objection?

There was no objection.

The SPEAKER pro tempore. The question is on the amendment offered by the gentleman from Pennsylvania [Mr. ROBBINS].

The question was taken, and the amendment was rejected.

Mr. DEWALT. Mr. Speaker, I offer the following amendment.

The Clerk read as follows:

Page 1, line 4, after the word "country," insert "not an enemy or ally of an enemy."

Mr. DEWALT. Mr. Speaker and gentlemen of the House, I have listened with careful attention to the arguments that have been made here in regard to the proposed amendment by the gentleman from Pennsylvania, and I am clearly of the opinion as a lawyer that there is considerable force in the suggestion that the bill should be amended in order to clarify it. While it may be true as a matter of law, both in our country and as international law, that you can not enforce a claim against the United States for any damage done in a belligerent nation, to wit, a belligerent nation against the United States, nevertheless this bill proclaims to the inhabitants of France or any other European country that damage caused by American military forces may be personally adjudicated by those officers. Now, the phraseology of the bill is very wide, to wit, "the inhabitants of France or any other European country," which of itself would include Turkey and include every other nation which is now a belligerent nation, although not at war with us actually, but an ally of Germany. Turkey is an ally of Germany; Roumania is now an ally of Germany; Russia, if you please, by reason of the revolution, is also ipso facto an ally of Germany; and, for the life of me, I can not see the justice of this proposition, if these European nations, although we are not actually at war with them, if they suffer damage by the passage of our troops over their territory we should be obliged to pay for it. Therefore I propose to insert the words "not an enemy or an ally of an enemy," and I think that is a substantial amendment.

Mr. WALSH. Will the gentleman yield?

Mr. DEWALT. I will.

Mr. WALSH. The gentleman concludes that it is necessary to instruct the military officers to be careful and not approve claims of people who are fighting us?

Mr. DEWALT. I would reply to the gentleman in this way, that I believe no man is harmed much by careful instructions unless he is a man who thinks he knows it all.

Mr. DEMPSEY. Will the gentleman yield?

Mr. DEWALT. I will.

Mr. DEMPSEY. I think the gentleman's amendment is a proper one. At present we are simply concerned with France, and would it not be sufficient and serve all purposes if we struck out the word "any other European country"?

Mr. DEWALT. I think not; I think the phraseology in my amendment meets the question concisely, that we shall not pay any damages to an enemy country or the ally of an enemy country, and that clears up the whole situation, in my judgment.

Mr. GREEN of Iowa. Will the gentleman yield?

Mr. DEWALT. Yes.

Mr. GREEN of Iowa. I want to commend the amendment of the gentleman from Pennsylvania. I had prepared an amendment, but I think the gentleman's is better than mine. His covers the allies of the enemy, so the objection that we have not declared war against some countries will not lie against his amendment. While I think the amendment is not necessary, still I believe that acts of Congress ought to be clear and explicit, and the gentleman's amendment makes it so.

Mr. MILLER of Minnesota. Mr. Speaker, I would like to have the attention of the gentleman from Alabama, and as he is not at this moment present I will address myself to the other members of the Military Affairs Committee. The objection which has been discussed of late is whether or not the terms of this act are broad enough to confer benefits upon citizens of a nation with whom we are at war. That is but one of the features that I think open to criticism, as far as the language in the first paragraph is concerned.

In addition to that this language is so comprehensive that it covers all classes of claims that may be comprehended between paragraph 1 and paragraph 2. Now I notice some gentlemen on the Military Affairs Committee are constantly asserting that the design of this is to do so and so. That suggestion is not troubling any of us. We are all agreed that it is properly the design, but the question is, Does it not only do that, but do a lot more? Seriously, I think it does; and too much more to make it safe and sane legislation. I want to suggest to the chairman of the committee [Mr. DEXT], and to the other members of the committee that instead of the language in paragraph 1 we use language like this, and I am not captious about it; I am not going to argue it for an hour or a minute, but I am merely going to suggest it and leave it, but I do think it improves the bill very materially. Instead of the language in the bill, insert the following:

"That such classes of claims as may be prescribed by the Secretary of War of inhabitants of France or of any other European country for damages caused by American military forces may, under such rules and regulations as the Secretary of War may prescribe, be presented to and adjudicated by any officer designated by the President, and when approved by such officer may be paid in such manner as the Secretary of War may direct."

That obviates two or three defects in the bill. In the first place, it enables the Secretary to confine the operation of the bill to that class of cases which have been enumerated, and, in the second place, it enables the officer to adjudicate the claims. The language of the bill does not permit adjudication. The language of the bill says that when the claim is presented, if it is a valid claim, it shall be paid.

Mr. GORDON. Mr. Speaker, will the gentleman yield?

Mr. MILLER of Minnesota. Yes.

Mr. GORDON. Does the gentleman claim that there is anything in this bill that precludes the Secretary of War from prescribing regulations as to the manner in which these claims shall be allowed and paid?

Mr. MILLER of Minnesota. Most certainly.

Mr. GORDON. The gentleman is entirely mistaken about that.

Mr. MILLER of Minnesota. I am not. If the gentleman can understand the English language and will read the first paragraph, he will come to a different conclusion.

Mr. GORDON. The method of adjudication is not prescribed in the bill. The regulations are authorized and prescribed there.

Mr. MILLER of Minnesota. The gentleman has not read the bill.

Mr. GORDON. Oh, yes; I have.

Mr. MILLER of Minnesota. As usual, he is talking without having knowledge of the facts before him. We thrashed that out an hour ago, and it was clearly demonstrated that the rules and regulations that the Secretary may prescribe were confined to the payment and not to the presentation.

Mr. GORDON. Does not the method of payment include the presentation and adjudication?

Mr. MILLER of Minnesota. It never has yet.

The SPEAKER pro tempore (Mr. FOSTER). The question is on agreeing to the amendment offered by the gentleman from Pennsylvania [Mr. DEWALT].

The amendment was agreed to.

Mr. REAVIS. Mr. Speaker, I move to strike out the last word. I have in my hands a circular that is being very generally circulated throughout the Middle West. I think this is about the tenth that has been sent to me from my district. It is a matter so appalling in its consequences that I think public attention should be called to it. It is apparent to all of us that a crisis has been reached in the world's affairs. I grow somewhat apprehensive at times as to whether or not the forces of the allied powers without the aid of America will be able to defeat the German Military Establishment. It seems to me that victory for the allies is largely dependent upon the contributions made by this Nation both in the way of supplies and in the way of soldiers. With civilization utterly dependent upon us any discouragement is almost treasonable. This circular is gotten out by one who signs herself Jessica Henderson, recording secretary of the National Antivivisection Federation (Inc.). It is being circulated, as I understand it, in the homes of the Middle West. It is causing the gravest dread and anxiety among the parents of the Nation, and I think is a matter to which the attention of the country should be directed, and especially the attention of the Department of Justice.

I am not conscious that I have uttered a partisan word in this body in the last year or that I have cast a partisan vote. There was a time last fall when I addressed myself briefly to the situation at Camp Funston, but my statement was to call attention to an existing evil and to suggest a remedy. I am glad to say that the conditions that then existed have been removed. But here is a circular going out into the homes of the Middle West, and I shall not take the time to read it now, to the effect that thousands and thousands of our soldiers are being killed by the treatment they receive in the cantonments. It contains such sentences as the following:

The thousands of deaths deliberately inflicted upon our soldiers and sailors has passed the scandal line. It has become a tragedy.

Mark that phrase—

The thousands of deaths deliberately inflicted.

Of course, no one could inflict these deaths but the Nation. It contains the most extravagant and absolutely untruthful statements that it is possible to put on paper. I have personally investigated some of the camps adjacent to Washington and some of the camps far removed from Washington. I know that never a time since the morning stars first sang together has any soldier been guarded as tenderly and as carefully as the American soldier is to-day. [Applause.] This cruel and false statement is going into the homes of the Nation and creating anxiety almost indescribable. The mothers and fathers of Nebraska—

Mr. COX. Is it going through the mail?

Mr. REAVIS. I do not know how it is going. This one was sent to me through the mail by one of the most patriotic and responsible men in my State.

Mr. LONGWORTH. Is this one of these antivaccination circulars?

Mr. REAVIS. Yes; that is what it is reputed to be—that by reason of inoculation the Government is deliberately killing thousands of soldiers in the cantonments. The circular contains such statements as this:

According to the recent statement of a lieutenant from Massachusetts his regiment received six inoculations in one day, and the men fell like dead men on the floor as they were trying to get to their beds. Not a few of them but many became dead men. On one train coming east from Kansas a man reported eight dead soldiers. These were husky Kansas farmers—before inoculation.

It is filled with extravagant statements of that kind and is exciting great apprehension on the part of the fathers and mothers who have sons in these camps. Nothing could be further from the truth. I was reading just yesterday of the treatment given our boys over in France, of their recreation camps located in the most beautiful section of that most beautiful country; far removed from the excitements and temptations of great cities; under the charge directly of the Young Men's Christian Association, so that no painted women, no whited sepulchers, are permitted within miles of the place.

The finest sort of recreation and intellectual entertainment is given to the boys. American women of the best type are their associates. I have seen them in Washington, and Washington is merely typical of the other cities where the civil population is giving all of its time and attention in order that proper and moral recreation and entertainments shall be given to the boys. I think the attention of the Department of Justice ought to be drawn to such circulars as these. It is absolutely unpatriotic. If the lady who signed this is not in the employ of those who are responsible for the German propaganda and the spy system that has been rife in this country she ought to be, because she is doing more to discourage those who remain at home by such stuff as this than anything that has been called to my attention. Personally, I intend to see that this document gets into the hands of the department, to give it an opportunity to investigate this so-called association and stop it, as it ought to be stopped, at once. I am very glad indeed, inasmuch as I occupied this floor last fall for a moment in calling attention to the conditions that then existed at Camp Funston, to say that that condition has been removed. I do not know of a single cantonment in the United States to-day where the boys are not given the most careful, the most tender, the most solicitous care, and statements of this kind, untrue as they are, at this particular time, when we are calling for an additional draft, are absolutely unpatriotic and almost treasonable in their effect.

Mr. GREENE of Vermont. Will the gentleman permit?

Mr. REAVIS. Gladly.

Mr. GREENE of Vermont. As I understand it, this woman refers to thousands of deaths taking place in our cantonments.

Mr. REAVIS. Let me read the exact statement.

The thousands of deaths deliberately inflicted upon our soldiers and sailors has passed the scandal line—it has become a tragedy.

Mr. GREENE of Vermont. And the facts are that the total mortality of the camps from all causes does not reach into the thousands.

Mr. REAVIS. Of course they do not, but what sort of effect can statements of this kind have going to homes where the facts are not known. [Applause.]

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. DENT, a motion to reconsider the vote by which the bill was passed was laid upon the table.

AMENDING ACT FOR THE NATIONAL DEFENSE.

Mr. DENT. Mr. Speaker, I call up the bill S. 2917.

The SPEAKER pro tempore. The Clerk will report the bill. The Clerk read as follows:

An act (S. 2917) to amend section 15 of the act approved June 3, 1916, entitled "An act for making further and more effectual provision for the national defense, and for other purposes," as amended by the act approved May 12, 1917, entitled "An act making appropriations for the support of the Army for the fiscal year ending June 30, 1918, and for other purposes."

Be it enacted, etc., That section 15 of the act approved June 3, 1916, entitled "An act for making further and more effectual provision for the national defense, and for other purposes," as amended by the act approved May 12, 1917, entitled "An act making appropriations for the support of the Army for the fiscal year ending June 30, 1918, and for other purposes," be, and the same is hereby, amended to read as follows:

"SEC. 15. Chaplains.—The President is authorized to appoint, by and with the advice and consent of the Senate, chaplains in the Army at the rate of not to exceed, including chaplains now in the service, 1 for each 1,200 officers and men in all branches of the Military Establishment, with rank, pay, and allowances as now authorized by law: Provided, That there shall be assigned at least one chaplain for each regiment of Cavalry, Infantry, Field Artillery, and Engineers."

The SPEAKER pro tempore. This bill is on the Union Calendar.

Mr. DENT. Mr. Speaker, I ask unanimous consent that this bill be considered in the House as in Committee of the Whole House on the state of the Union.

The SPEAKER pro tempore. Is there objection? [After a pause.] The Chair hears none.

Mr. DENT. Mr. Speaker, the gentleman from Pennsylvania, [Mr. CRAGO], a member of the committee, desires to be recognized on the bill.

Mr. CRAGO. Mr. Speaker, in explanation briefly of the purposes of the bill I want to submit a few observations on the position of Army chaplain. The origin of the office of chaplain, or chaplain, is traced to the appointment of persons to watch sacred objects. In times of war in older days many of the sacred emblems belonging to the country were carried by the army into the field and were guarded by the chaplain. The functions of that office have been extended until they now include in practically all of the armies of the civilized world the moral and spiritual care of the men who compose the army. Because of the fact that many persons seemingly are not aware of the vast field of endeavor which opens itself to the Army chaplain, and because we are now asking to increase the number of chaplains, I

thought it might be proper to say a few words regarding the great work that these men are doing and the necessity for an increase in their number. I agree thoroughly with the gentleman from Nebraska [Mr. REAVIS] in his statement that never in the history of the world have soldiers been so carefully guarded in their living conditions as the men who compose our present Army. Heretofore we have had one chaplain for approximately every 1,000 men in the Army. Now, under our increase we have but one chaplain for approximately each 3,000 men in the Army. It is not necessary to make an increase in exact accordance with the increase of the Army, but it should be an approximate increase. My limited military experience has always been in an infantry regiment, but I think practically the same condition obtains and will be found in all organizations of the Army. Other than the adjutant of the regiment I know of no officer whose duties are more important or more varied in their character than the duties and the opportunities of a real busy Army chaplain. Contrary to the general opinion he is not in any respect a superfluous officer, carried on the roll for mere formality, but his work is far-reaching and can be productive of very, very much good in maintaining the morale of the Army. If by chance some one has accepted a commission as chaplain with the mistaken idea that he has secured a soft berth, if he is a real man and finds himself in that position, in touch with young men who have left home and loved ones to battle for their country, he will soon awaken to a realization of the fact that the possibilities of his work are almost without limit, and if the right man is filling that place he can gain the confidence of the men in matters which they will not reveal to other officers. The chaplain has it in his power to be a great help to the Army, and the knowledge that these men are in touch with the boys who have been parted from home ties and restraints is very comforting to the parents of our soldiers and helps console them in their separation. I believe we should have a major chaplain for each regiment and an assistant for each battalion, as our regiments are divided into three battalions.

These battalions now consist of about the same number of men as in former years composed a regiment. In many instances I have found young men in the Army camps and in the cantonments who are preparing themselves for the ministry or for Young Men's Christian Association work, serving in the ranks as privates or as noncommissioned officers, and who are rendering valuable help to the chaplains. They gain the confidence of the men, cheer them in their work, help them over the rough places, and I would suggest that many of these men from the ranks who have done this proficient work should be the men who would be commissioned in these new positions as Army chaplains. They would supplement the work of the present chaplains to a nicety.

Referring again to the derivation of the word "chaplain," may we not say that we as a Nation are sending into battle our most precious possessions, and that we should throw every safeguard around the morals of these brave men who go out to fight our battles? We have done well so far in providing for these things. They have been given entertainment; the Young Men's Christian Association has done wonderful work, but sooner or later these soldiers now in camps will go to the front, and when they meet the shock of battle, when the test of wounds and disease comes, these chaplains will be with them and will be the ones who will minister to these men in a mental way, just as our doctors aid them in a physical way; and it will be a great consolation to know that when a young man falls on the field of battle, gives up his life, or makes the supreme sacrifice, as he breathes his last in the hospital, that there at his side will be the loyal chaplain of the regiment ready to convey his last words to the folks at home. I think we are only doing our duty when we increase this corps of men who are doing such wonderful work. [Applause.]

Mr. ANTHONY. Mr. Speaker, is the bill ready for amendment now?

The SPEAKER pro tempore. It is ready to be read.

Mr. ANTHONY. I would like to offer an amendment to the bill.

The SPEAKER pro tempore. The Clerk will read the bill for amendment.

The Clerk read as follows:

An act (S. 2917) to amend section 15 of the act approved June 3, 1916, entitled "An act for making further and more effectual provision for the national defense, and for other purposes," as amended by the act approved May 12, 1917, entitled "An act making appropriations for the support of the Army for the fiscal year ending June 30, 1918, and for other purposes."

Be it enacted, etc., That section 15 of the act approved June 3, 1916, entitled "An act for making further and more effectual provision for the national defense, and for other purposes," as amended by the act approved May 12, 1917, entitled "An act making appropriations for the

support of the Army for the fiscal year ending June 30, 1918, and for other purposes," be, and the same is hereby, amended to read as follows:

"Sec. 15. Chaplains: The President is authorized to appoint, by and with the advice and consent of the Senate, chaplains in the Army at the rate of not to exceed, including chaplains now in the service, one for each 1,200 officers and men in all branches of the Military Establishment, with rank, pay, and allowances as now authorized by law: *Provided*, That there shall be assigned at least one chaplain for each regiment of Cavalry, Infantry, Field Artillery, and Engineers."

Mr. ANTHONY. Mr. Speaker, I offer the following amendment.

The SPEAKER pro tempore. The gentleman from Kansas [Mr. ANTHONY] offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. ANTHONY: Insert after the word "Engineers," in line 13, page 2, the following:

"And provided further, That the persons appointed under this act shall be duly accredited by some religious denomination or organization and of good standing therein."

Mr. ANTHONY. Mr. Speaker, the purpose of the amendment is to broaden the law now on the statute books permitting the appointment of chaplains in the Army. The language of the present law, as I remember it, confines the appointment of the chaplains to members of certain recognized religious denominations, and to men having certain qualifications in regard to being regularly ordained ministers. The purpose of the amendment is to make possible the appointment of chaplains from such beliefs as do not ordain their ministers, for instance, members of the Christian Science organization. A number of very worthy men are ready to undertake service in the Army as chaplains belonging to worthy organizations such as this, and would be made eligible to appointment if this amendment was adopted. It simply puts the matter up to the appointing power as to the men it shall recognize. There is no question but what certain members of the Christian Science faith are well qualified to be chaplains in the Army, and would do as great good and as efficient work as members of other sects and denominations. And I offer the amendment in the hope that the House will broaden the scope of the present law.

Mr. GORDON. Would your amendment be broad enough to include Mohammedans?

Mr. ANTHONY. If the President would find a good one he could certainly exercise his discretion even to do that.

Mr. GORDON. Or a Buddhist or all other heathen denominations?

Mr. ANTHONY. In this country we are very liberal in the construction of religious matters, and, for instance, if we recruited a regiment of Filipino Moros a Mohammedan chaplain might be thought of.

Mr. LOBECK. Would it also include men accredited to the Salvation Army, or would the old law do that?

Mr. ANTHONY. I will ask the chairman of the committee in regard to that.

Mr. DENT. The requirements are, as I recall, to the effect that they must be regularly ordained ministers of some well-recognized religious denomination.

Mr. ANTHONY. The duties of the present-day chaplain go beyond the preaching of sermons by regularly ordained ministers. We want men who, beside their religion, have big hearts in their breasts to help the men solve the human problems that come to them.

Mr. KAHN. Will the gentleman yield?

Mr. ANTHONY. I will.

Mr. KAHN. I think it is advisable to inform the House how chaplains have been appointed heretofore. The Catholic Church has a representative here in this city who speaks for the church in the appointment of Catholic chaplains. He is Father O'Hern, of the Catholic University. The Protestant denominations have a representative here in Washington, and he makes all suggestions regarding the appointment of Protestant chaplains in the Army. The department had invariably consulted these two men about the appointment of chaplains before we got into the war. Since then, of course—

Mr. DYER. Will the gentleman yield?

Mr. KAHN. I just want to make this explanation. I simply want to inform the committee what the practice was before we got into the war. But now, of course, the Army has expanded enormously. There are enough soldiers of other religious denominations in the various branches of the service to warrant the appointment of some chaplains other than Protestants or Catholics. I believe one or two Jewish chaplains have already been appointed, and it is very desirable to allow, as my colleague on the committee [Mr. ANTHONY] stated, a number of Christian Scientists to be appointed. There is no doubting the fact that that denomination has grown enormously in

this country in recent years. Their readers are men who can offer religious consolation just as well as the chaplain of any other denomination. But as my colleague from Kansas explained, the duty of a chaplain in a modern Army is not alone the offering of religious consolation. The boys in the field go to the chaplain and confide in him their personal difficulties, very probably troubles at home. The chaplains also take part with the soldiers in the games that the soldiers play. They umpire baseball games and referee football matches, and things of that kind.

Mr. DYER. Will the gentleman yield?

Mr. KAHN. Yes.

The SPEAKER pro tempore. The time of the gentleman from Kansas has expired.

Mr. McKENZIE. Mr. Speaker, I ask unanimous consent that my colleague may have five minutes more in which to answer that question.

The SPEAKER pro tempore. The gentleman from California is speaking in the time of the gentleman from Kansas [Mr. ANTHONY]. The gentleman from California is recognized.

Mr. KAHN. Mr. Speaker, I yield to the gentleman from Iowa [Mr. GREEN].

Mr. GREEN of Iowa. Mr. Chairman, I may be misinformed, but I had understood that the various Protestant churches had, instead of one person, a board which was composed of representatives of the different churches.

Mr. KAHN. I believe that is true, but that board in turn delegate their authority to the one man. The board passes upon the qualifications of the man, but the one minister of the Protestant faith finally presents the matter to the War Department. That is my understanding.

Mr. DYER. Mr. Speaker, will the gentleman yield?

Mr. KAHN. Yes.

Mr. DYER. Will the gentleman state what organizations or denominations, or whatever they may be described, would be eligible for appointment as chaplains, as representatives, provided the amendment of the gentleman from Kansas is agreed to?

Mr. KAHN. Well, I want to say that under the law existing before we got into this war the War Department apportioned the chaplains according to the strength of the religious denominations in this country.

Mr. GORDON. In the Army?

Mr. KAHN. No; not in the Army, but in the country at large; so many per thousand population in the country. I presume that in working out the number that ought to be apportioned under this law they would probably follow that practice. It is almost impossible, in fact it is inadvisable, to ask any man in the Army of the United States what religion he professes or to what denomination he belongs. We are entirely free from that in this country. As best they were able to gauge the proportions of the various denominations in this country they divided the chaplaincies heretofore.

Mr. McKENZIE. Mr. Speaker, will the gentleman yield?

Mr. KAHN. Yes.

Mr. McKENZIE. I would like to ask my colleague a question in reference to the amendment offered by the gentleman from Kansas [Mr. ANTHONY]. In case his amendment is adopted, can a Christian Scientist make his application, for instance, to be chaplain in the Army? His application will have to be examined and all the facts looked into and the recommendation made by this board, or any other board, that is here in Washington supervising the recommending of chaplains? Is that true?

Mr. KAHN. I think that is true.

Mr. McKENZIE. Then, if that is true, there would be no chance for a man who did not come up to the standard of morality or efficiency being appointed?

Mr. KAHN. I think that is absolutely true. The character and qualifications of the chaplains that are being appointed in the Army are thoroughly investigated before the recommendations are made.

Mr. DYER. The gentleman recognizes, of course, that this will be a substantial change in the existing law if we should agree to that amendment; because, as I understand it, ordained ministers are not in the Christian Science Church?

Mr. KAHN. The gentleman is quite right; and that is true, also, as I understand it, in one or two other sects of the Christian church. They have no ordained ministers.

Mr. LONGWORTH. Mr. Speaker, will the gentleman yield?

Mr. KAHN. Yes.

Mr. LONGWORTH. There are certain sects, I understand, whose members not only refuse to fight but refuse to do any work connected with the war. Would it be possible to appoint any of those under this provision?

Mr. KAHN. I do not think so. I want to say to my friend from Ohio that the gentleman from Pennsylvania [Mr. BUTLER] spoke of the fact a little earlier in the proceedings that in his home city 180 boys are receiving military training under a compulsory law passed by the local governing board of that city. My friend from Pennsylvania, as the gentleman is aware, is a Quaker, and the principles of the Quaker Church are against war. But the communicants of that church, the members of that faith, have adopted a special decree permitting Quakers in this country to join the armies in this war and fight for the country. [Applause.]

The SPEAKER pro tempore. The time of the gentleman from California has expired.

Mr. DYER. Mr. Speaker, I move to strike out the last word. The SPEAKER pro tempore. The gentleman from Missouri moves to strike out the last word.

Mr. DYER. Mr. Speaker, I want to call the attention of the House to the importance of this legislation and to the fact that it ought to have been enacted some time ago. I ask the Clerk to read a cablegram from Gen. Pershing in reference to this bill.

The Clerk read as follows:

[Cablegram received at the War Department from H. A. E. F.]

To THE ADJUTANT GENERAL,
Washington, for the Secretary of War:

1. In the fulfillment of its duty to the Nation much is expected of our Army, and nothing should be left undone that will help in keeping it in the highest state of efficiency. I believe the personnel of the Army has never been equalled, and the conduct has been excellent; but to overcome entirely the conditions found here requires fortitude born of great courage and lofty spiritual ideas. Counting myself responsible for the welfare of our men in every respect, it is my desire to surround them with the best influence possible. In the fulfillment of this solemn trust it seems wise to request the aid of churchmen from home.

2. To this end it is recommended that the number of chaplains in the Army be increased for the war to an average of three per regiment, with assimilated rank of major and captain in due proportion, and that a number be assigned in order to be available for such detached duty as may be required. Men selected should be of the highest character, with reputations well established as sensible, practical, active ministers or workers accustomed to dealing with young men. They should be in vigorous health, as their services will be needed under most trying circumstances. Appointees should, of course, be subject to discharges for inefficiency, like other officers of the National Army.

3. It is my purpose to give the Chaplain Corps through these forces a definite and responsible status and to outline, direct, and enlarge their work into cooperative and useful aid to the troops.
(Signed) PERSHING.

Mr. DYER. Mr. Speaker, may I ask the chairman of the committee a question?

Mr. DENT. Yes.

Mr. DYER. As I understand the bill, it provides only for the rank that has existed heretofore; captain is the highest.

Mr. DENT. Yes.

Mr. DYER. Does the present law provide for majors?

Mr. DENT. Yes. This does not change the law in any respect, except to increase the number.

Mr. DYER. It increases the number?

Mr. DENT. Yes.

Mr. KAHN. They can not be made majors until they have had a certain number of years' experience in the Army.

Mr. DYER. Yes.

Mr. DENT. I will state to the gentleman that the national-defense act provided for one chaplain for each regiment. At the time the national-defense act became a law a regiment, in peace times, was composed of about 1,200 men. Under the new organization a regiment now is composed of something like 3,600 men, and they are asking the same proportion of chaplains that were provided for under the national-defense act.

Mr. DYER. Mr. Speaker, closely related to this bill, and of great importance to the successful carrying on of the present war, is the bill H. R. 9563, which will authorize promotions to higher grades in the Medical Corps and the Medical Reserve Corps. This legislation is urgently desired by the Surgeon General of the Army and leaders in the profession throughout the entire country. On March 9 I presented a statement as to the effect the bill would have if enacted into law, and also gave comparisons between the Medical Department of the Army of the United States and that of England, France, and Italy. The only objection to this legislation comes from the General Staff. Why the General Staff has set its judgment against that of Surg. Gen. Gorgas, of the Army; Surg. Gen. Braisted, of the Navy; and the greatest surgeons and physicians in and out of the Army and Navy is more than I am able to understand. I do not think that the Committees on Military Affairs of the Senate and the House, or the Members of Congress generally, should act upon the advice of the General Staff in preference to Gen. Gorgas and the men who are directly connected with the work of caring for the wounded and sick of our Army.

The President recently wrote a letter indorsing this legislation. His letter was addressed to Dr. Franklin Martin, mem-

ber of the advisory commission of the Council of National Defense, and is as follows:

MY DEAR DR. MARTIN: I read very carefully your memorandum of February 27 about the rank accorded members of the Medical Corps of the Army, and have taken pleasure in writing letters to the chairmen of the Military Committees of the House and Senate, expressing the hope that the bill and resolution may be passed.

Cordially and sincerely, yours,

WOODROW WILSON.

The Assistant Secretary of War recently took a position against this legislation in a telegram to Dr. Harvey G. Mudd, of St. Louis, Mo. This telegram was no doubt sent after consultation with the General Staff. The telegram is as follows:

Your telegram with reference to Owen-Dyer bill received. Your statement that the provisions of the bill are absolutely essential for the conservation of the health and life of our soldiers is entirely erroneous. The bill does not increase either the number of officers or men in the Medical Department, but it does make three and one-half times as many major generals in the Medical Corps as there are in the entire Regular Army—a force much larger. It also authorizes a larger number of brigadier generals than there are in the entire Regular Army. The provisions of the bill are indefinable and the War Department is absolutely opposed to its passage.

BENEDICT CROWELL,

Acting Secretary of War.

I called the attention of Dr. Franklin Martin to the telegram and received from him the following letter:

ADVISORY COMMISSION, COUNCIL OF NATIONAL DEFENSE,
March 27, 1918.

From Dr. Franklin Martin, member of advisory commission.
To Hon. L. C. DYER, House Office Building, Washington, D. C.
Subject: Owen-Dyer bill.

1. In reply to your letter of March 26, in which you inclosed a letter from Benedict Crowell, Acting Secretary of War, to Harvey G. Mudd, of St. Louis, it is apparent that Mr. Crowell failed to take into consideration one of two important things when he wrote that letter. He says the provisions of the Owen-Dyer bill are indefinable, and the War Department is absolutely opposed to its passage. The Owen-Dyer bill, in my opinion, is not only definable but extremely definite, inasmuch as it provides percentage of officers based on the number of men in active service. The percentage thus provided for higher officers is not as great as that provided for the French, English, Italian, German, and Japanese Armies for their medical departments.

2. He states that your bill provides for three and one-half times as many major generals in the Medical Corps as there are in the entire Regular Army. It also authorizes a larger number of brigadier generals than there are in the entire Regular Army. This statement is liable to be misinterpreted, as it refers to the Regular Army and not to the contemplated National Army that we are preparing with which to fight the war. The old Regular Army, as you know, was not more than 65,000 men. It was afterwards authorized, I believe, to 295,000 men.

3. In referring to the officers in the Regular Army, he speaks of the number of officers of that force, and not the officers that would be required for our large Army. To illustrate: When we have an Army in the field of 2,000,000 men, according to the provisions of your bill, the Medical Department would have 70 general officers divided equally among major generals and brigadier generals. The Army as a whole would have 333 general officers. In addition, we must always remember that the Medical Department, by the provisions of your bill, will not provide for general officers only to the extent that medical men are required for actual service, and therefore will depend entirely upon the size of the Army in the field. In other words, we must not forget that we are providing the reserve corps not only for the Regular Army but for the National Army.

4. Gen. Gorgas, Dr. Mayo, Senator OWEN, and the rest of us are standing definitely behind the Owen-Dyer bill. We insist upon the bill retaining the present names, because we have advertised the bill to the civilians of the country. We also insist upon the percentage basis for officers because we want officers proportioned to the number of men we have in service. With those two provisions we, of course, would be willing to accept minor amendments.

5. Inasmuch as the President has expressed to the chairmen of the two military committees his approval of this bill, get prompt action from those committees and get in on the floor of the House and Senate as soon as possible, because there we can expect large support.

FRANKLIN MARTIN,

Member of the Advisory Commission.

The above shows very plainly that the General Staff and the Assistant Secretary of War had not given careful consideration to what the legislation would accomplish.

As stated above, there is a universal demand for legislation to bring about what the bill I have introduced would accomplish. I call attention also to three comments from the press, as follows:

[From the Journal of the American Medical Association, Chicago, Ill., Mar. 30, 1918.]

LEGISLATION FOR INCREASED RANK FOR MEDICAL OFFICERS.

On several occasions the Journal has emphasized the importance of legislation for increased rank and authority for officers of the Medical Reserve Corps. Specifically it has urged enactment of the recently introduced Owen-Dyer bill. It has been suggested that modification of this bill would be necessary to secure its passage, but that such modification need not be serious. In any event, some such legislation is not only desirable but also vitally necessary if common justice is to be rendered to the Medical Reserve Corps and if the best results are to be achieved by the Medical Department. Apparently the only active opposition thus far has come from the General Staff and the Secretary of War. If the newspapers of the country mirror public opinion, certainly the public is in favor of this legislation.

As the Brooklyn Eagle says: "The logic of this proposition appeals to every mother whose son is in a home camp or in the country's service abroad. It is inexorable logic. All that the Owen bill, now pending, does is to give Army surgeons the ranks corresponding to those the Navy grants. It is not a radical, not a revolutionary measure,

but it will put an end to conditions greatly injurious to the health protection of American soldiers." The Buffalo News thinks that "inasmuch as the measure is calculated to facilitate the work of the Army Medical Corps and benefit the troops by precluding dangerous delays in medical relief, etc., its passage will be welcomed and approved of by everyone"; and the New York Globe states that "the request of the officers of the Medical Reserve Corps to be placed on the same footing as the Regular Army medical officers seems to be a perfectly reasonable one." The call of the Army to the medical profession has been enthusiastically responded to. Remediable legislation ought to be enacted without delay, and the doctors of the country should help the volunteering members of their profession to win the recognition to which they are entitled by urging their Representatives and Senators to support the Owen-Dyer bill. The Chicago Herald presents the case for both sides, and states that "lives can be saved and the strength of the Army kept up, medical men think, more easily if greater power commensurate with responsibility were in the hands of the doctors and sanitarians. A decision should be reached without prejudice, and unless it can be lucidly shown that higher ranks for medical officers can have definite disadvantages, Gen. Gorgas's bills should be enacted." The Boston Herald notes that the cream of the medical profession of the United States is now included in the Medical Reserve Corps. "They labor under a serious handicap by reason of their inferior rank." Titles ought to correspond to responsibilities. When we realize that in all our wars disease has been responsible for more than 70 per cent of the mortality, we can get some realization of the importance of the service which we call on the Medical Reserve Corps of the Army to render. The Philadelphia Record doubts whether Secretary of War Baker is "seriously against" the legislation. "From an unprejudiced point of view," it says, "there would seem to be no good reason why physicians and surgeons who are rendering invaluable service in saving lives and protecting the health of the soldiers should not be raised to a rank commensurate with the importance of their work, especially if that is the case in other armies than our own. The opposition to this apparently simple act of justice betrays the same spirit which fought against the idea that enlisted men in the Army and Navy should be given every opportunity to rise to the highest honors."

In fact, the press is practically unanimous in favoring this legislation. With this encouragement the physicians of the country should redouble their efforts to let Congress know that the medical profession wishes an early and favorable consideration of legislation for fair treatment of their confreres in military service.

[From the Outlook, New York, Apr. 3, 1918.]

RAISE THE RANK OF MEDICAL OFFICERS.

As Representative DYER asserted the other day, of late years Congress has not been giving the necessary consideration to the Surgeon General's office. Mr. DYER was speaking concerning the bill in the House of Representatives which he had introduced, the same bill having been introduced by Senator OWEN, of Oklahoma, in the Senate, to raise the rank of officers of the Medical Reserve Corps. According to the present law, ranks for officers in the Medical Reserve Corps are lieutenant, captain, and major. The pending legislation provides for ranks in addition of lieutenant colonel, colonel, brigadier general, and major general.

Such a law should be passed. It would give to our medical men working abroad not only a parity of rank with other medical men working there, but it would give them a position of much-needed authority. Recommendation given by a medical officer to a line officer of superior rank has not hitherto carried the necessary weight, and this experience is responsible for the demand for advanced rank. As Surg. Gen. Gorgas recently said, as quoted by the New York Times:

"Line officers have had no hesitation in ignoring the sanitary recommendations of medical officers of lower rank. The men of the Medical Corps should get higher rank—rank commensurate with the importance of the positions they hold. Some of them are administering great hospitals, yet they hold subordinate rank."

The same paper quotes the following from Dr. Simon Baruch: "Dr. C., a professor of gynecology (therefore expert in abdominal surgery) in one of our great medical schools, has been one of the original founders of the Medical Reserve Corps, rivaling in prevision of present medical actualities the wonderful prevision of Leonard Wood of present military actualities. He served in the humble capacity of lieutenant in the Medical Reserve Corps for many years, was actively on duty in the camp of reunited veterans at Gettysburg in 1913, has worked with might and main to make the Medical Reserve Corps a veritable military force, served in its enlargement required by the expansion of our military force, and is now in active service in Europe with the rank of major. He has recently been superseded in authority by a former student of his, who, having entered the Regular Army, has now attained a rank superior to Dr. C."

The number in the regular Medical Corps now on active duty is 775, and volunteer physicians in the Medical Officers' Reserve Corps to the number of 12,855 are also on active duty. The well-known surgeon, Dr. William J. Mayo, speaking of the great sacrifices financially and professionally which members of the Medical Reserve Corps have made, says that the only condition the men ask is that during the time they are in service they shall have working conditions which justify the sacrifices. With or without the increased rank, as Dr. Mayo adds, the medical profession will bear its burdens. But it looks to Congress to uphold the dignity of the medical profession.

We do also.

[From the Weekly Bulletin of the St. Louis Medical Society, Mar. 21, 1918.]

OWEN-DYER BILL.

Mr. L. C. DYER, in advocating the passage of the Owen-Dyer bill before the House of Representatives, emphasized the fact that physicians of the highest standing in the profession are now in the military service with only the rank of major, thereby losing the benefit of their experience and knowledge by the lack of power to enforce their recommendations. As stated by him, the bill has received the unqualified indorsement of Dr. Franklin Martin, member of the Advisory Commission of the Council of National Defense; Dr. William J. Mayo, and other members of equally high standing in the profession. He also quoted from the report of Lord Esher, of Great Britain, who was chairman of the committee which reorganized the English War Office in 1904 and then opposed what the medical profession deemed adequate authority and rank. But 13 years later, on February 3, 1917, he wrote as follows: "How much of the suffering undergone by our soldiers since the war began has been due to the shortsightedness of my committee, and notably

tant general's branch over the royal army medical corps was and is responsible not only for the early failure to grip the medical factors of the war, but they hampered conditions under which the surgeon general has worked. His triumphs and those of the royal army medical corps have been achieved in spite of obstacles that the subordination of science to ignorance and of elasticity to military discipline explains, but can of myself, will never be known. Certainly, the control of the adjutant

Congressman DYER also related the experience of the medical officers during the Spanish-American War, especially at Chickamauga, where a line officer refused to consider the recommendations of the chief medical officer and brought on the awful catastrophe which is still fresh in the minds of the medical men of the country. Mr. DYER further stated that the recommendation for the increased rank is asked in order to increase the efficiency of the Medical Reserve Corps. It will be of great value to the health and welfare of the soldiers, and health is necessary to efficiency. Recommendations given by a medical officer in order to carry weight necessary for such important recommendations should not be made to a line officer of superior rank. Advanced rank carries with it this power.

The following telegram was sent to Hon. ROBERT L. OWEN, Hon. L. C. DYER, and to the Secretary of War by the Missouri State Committee Medical Section, Council of National Defense, in reply to an article which appeared in the Globe-Democrat Sunday, March 17, 1918, as follows:

"Associated Press dispatches state to-day that the War Department has interfered with the free expression of his opinion by the Surgeon General on the Owen-Dyer bill granting adequate rank and authority to medical officers. In view of the published approval of this measure by the President, we confidently hope that this morning's report is erroneous."

"The opposition of the Owen-Dyer bill has seriously hampered the efforts of the Government to secure an adequate number of physicians for our rapidly growing National Army. The passage of this bill will place our own medical officers on a basis equivalent with that of the medical officers of Great Britain, France, Italy, Japan, our own Navy, and the forces of the enemy."

"These provisions are absolutely essential for the conservation of the life and health of our soldiers."

"HARVEY G. MUDD, M. D.,
Chairman."

Mr. CANNON. Mr. Speaker, I make a pro forma amendment for the purpose of asking the gentleman from Kansas, or the chairman of the committee, or the gentleman from California, a question. If the amendment of the gentleman from Kansas is adopted, would that let in religious people belonging to organizations whose ministers are not ordained—the Christian Scientists, for example? Would it let in Universalists and Unitarians?

Mr. ANTHONY. I will say to the gentleman that I believe it would. The chairman of the committee has just suggested that the amendment should not be adopted without the proviso, "under such regulations as the department may prescribe."

Mr. DENT. "Prescribed by the Secretary of War."

Mr. ANTHONY. So that that would put it up to the War Department, surrounding it with proper safeguards.

Mr. CANNON. Then there is no doubt but that they would be eligible even if the ministers were not ordained?

Mr. ANTHONY. If the appointing power so decided.

Mr. CANNON. I want to ask another question. What is the age—40 years?

Mr. ROBBINS. Forty is the maximum.

Mr. DENT. Yes; 40 is the maximum age.

Mr. CANNON. Does the gentleman think it wise to fix an age limit?

Mr. DENT. It has been suggested, and personally I can not see any objection to it.

Mr. CANNON. I know of my own personal knowledge one or more, two or more, very upright men; one is a Catholic, another a Protestant, a member of the Methodist Church. They are both over 40. I do not know in all my acquaintance two men who would be better qualified than they from every standpoint. Is it by regulation or by statute that 40 is the prescribed limit?

Mr. DENT. By statute.

Mr. CANNON. Would the gentleman offer an amendment raising the age limit to 45?

Mr. DENT. I have no objection to that.

Mr. CANNON. It seems to me it ought to be done. Will the gentleman offer the amendment? He is familiar with the bill.

Mr. DENT. I will offer an amendment.

The SPEAKER pro tempore. Does the gentleman from Alabama desire to offer an amendment to the amendment?

Mr. CANNON. To the Anthony amendment.

Mr. DENT. I will wait until that is disposed of. I suggest to the gentleman from Kansas, my colleague on the committee, that he will modify his amendment so as to provide that these appointments shall be made under such regulations as may be prescribed by the Secretary of War.

Mr. ANTHONY. Mr. Speaker, I ask unanimous consent that my amendment be further modified to comply with the gentleman's suggestion.

The SPEAKER pro tempore. The gentleman from Kansas asks that his amendment be so modified.

Mr. CANNON. Let us have a vote.

The SPEAKER pro tempore. Will the chairman of the committee please state the amendment which he proposes?

Mr. DENT. To amend the amendment of the gentleman from Kansas [Mr. ANTHONY] by adding the words "under such rules and regulations as may be prescribed by the Secretary of War."

The SPEAKER pro tempore. The Clerk will report the amendment.

The Clerk read as follows:

Amendment as modified: Insert after the word "therein" the words "under such regulations as may be prescribed by the Secretary of War," so that the amendment will read: "And provided further, That the persons appointed under this act shall be duly accredited by some religious denomination or organization, and of good standing therein, under such rules and regulations as may be prescribed by the Secretary of War."

The SPEAKER pro tempore. The question is on the amendment offered by the gentleman from Kansas [Mr. ANTHONY] as modified.

The amendment was agreed to.

Mr. CANNON. Mr. Speaker, will the gentleman from Alabama offer the amendment that we spoke of, raising the age limit to 45?

Mr. DENT. In line 13, on page 2, after the word "engineers," strike out the period and insert a colon and add the following:

Provided, That the maximum age limit of chaplains in the Army shall be 45 years.

Mr. McKENZIE. Mr. Speaker, does the gentleman from Alabama want to talk on that amendment?

Mr. DENT. No; I do not.

Mr. CANNON. Does my colleague [Mr. McKENZIE] oppose the amendment?

Mr. McKENZIE. Yes; I am opposed to it.

Mr. CANNON. I should like to know what the gentleman thinks. I will try to get recognition to speak after he speaks, because he may convince me.

The SPEAKER pro tempore. The Clerk will report the amendment.

The Clerk read as follows:

Mr. DENT offers the following amendment, to follow the amendment just adopted: Strike out the period and insert a colon and add the following: "Provided, That the maximum age limit of chaplains in the Army shall be 45 years."

Mr. McKENZIE. Mr. Speaker, I dislike very much to differ from my distinguished colleague [Mr. CANNON] on a matter of this character; but I want to say to the members of the committee that this matter was not considered or discussed in the Committee on Military Affairs while we were considering the bill that is now under discussion. At the time of the enactment of the national defense act, with all the information from the War Department, the age limit for chaplains was fixed at 40 years, after full consideration of all the facts. One of the reasons for it is that if you commission a man at 40 years, before he arrives at the age of retirement the Government can get at least 22 or 24 years' service from him. It is not good policy to commission old men in the Army of the United States in any branch of the service. I would not say a word against the character or the usefulness of ministers above the age of 40 years, for I know many of them who are exemplary gentlemen in the communities in which they reside, and some of them no doubt would make excellent chaplains in the Army.

Mr. FLOOD. May I ask the gentleman a question?

Mr. McKENZIE. Yes.

Mr. FLOOD. Would these chaplains be permanent officers of the Army, or would they remain only during the war?

Mr. McKENZIE. I presume that is the purpose of it. They would be officers in the Reserve Corps.

Mr. FLOOD. Then would it make so much difference?

Mr. McKENZIE. This amendment ought to go to another section of the law. It is offered in the wrong place, but we can discuss it here. Of course, the House has a right to put it on here if it sees fit to do so, but I simply want to call the attention of the Members to the letter just read a few minutes ago from Gen. Pershing, admonishing us to send to France only young men. I am not criticizing men because they are old, for I have seen quite a number of years myself; but I do realize, as every man here must realize, that a man who accepts a commission as a chaplain in the Army of the United States at this time ought to be prepared to go across the water, where the boys will need his services more perhaps than they will need them in this country; and any man who has passed the age of 40 years, with perhaps an exception here and there, is not physically qualified to meet the exposure and the trials with which he will have to contend there, if he goes onto the field of battle where the boys are, and the place where he ought to be in order to render the

services which are expected of a chaplain in a regiment. I will not go into the matter further, but I think it will be a mistake to raise the age limit.

Mr. GORDON. Will the gentleman yield?

Mr. McKENZIE. Yes.

Mr. GORDON. Would it not obviate every objection that the gentleman has stated so well if all the provisions of this act were limited to the period of the present emergency?

Mr. McKENZIE. No; it would not, for I know that we have plenty of young, virile men in the ministry in this country who are ready and willing to go and make the sacrifice in France, and you and I know that we have all got friends in the ministry who are over 40 years of age. Many of them have appealed to us to have them commissioned in the Army of the United States. They are patriotic gentlemen. They want to serve our country, and we have said to them, "The law bars you. Forty years is the limit. We are looking for younger men." Now, when the storm of battle is just coming on, when the moment has arrived when we want the strongest men in the country, are we going to let down the bars and say that men can go into this service on the battle field who can not get into any other branch of the service? Gentlemen of this House, vote in this amendment, if you will, out of respect to my good old colleague from Illinois [Mr. CANNON]; but, looking at it from the standpoint of one who has given some little thought to the military affairs of this country, I feel that it would be a mistake.

Mr. BUTLER. Let me ask the gentleman a question.

Mr. McKENZIE. Yes.

Mr. BUTLER. Does the gentleman mean to say that a man 45 years of age is incapable of preaching? We are not going to take them to fight.

Mr. McKENZIE. I mean for a chaplain in the Army, who can go out among the boys.

Mr. BUTLER. I know, and they do go out.

Mr. McKENZIE. Out into the field and into the storm.

Mr. BUTLER. There are men in the ranks carrying guns who are 45 years of age.

Mr. GREENE of Vermont. But they have been in the ranks all the time. They are not men who have stepped down out of a pulpit.

Mr. BUTLER. I know, but they can enlist up to 40, and the older a man is the better he preaches.

Mr. GREENE of Vermont. But they have not got activity enough to get out into the trenches and take the dying confessions of the men, and so forth.

The SPEAKER pro tempore. The time of the gentleman from Illinois has expired.

Mr. CANNON. Mr. Speaker, I know how old a man is when he is 45 years of age; and a man in good health, who would be received at all, would, I think, at 45 years of age, be quite as useful as a chaplain as a young man of 25 or 30 or 35. Why, let me ask my friend how old are you?

Mr. McKENZIE. I am 58.

Mr. CANNON. Fifty-eight and just married. [Laughter.] Why, if my friend and colleague whom I respect and almost love—

Mr. McKENZIE. If the gentleman will permit me, I am one of those who has conserved his strength in his youth. [Laughter.]

Mr. CANNON. Yes; and if a man has lived to the age of 45 and has no disease, if he has a good constitution, if he is healthy, if he can pass the examination of the surgeons, if he has had the religious experience, I think he is quite as useful as the man of 25 or 35 or even 40. I have had two applications that I spoke of from men whom I know, one very zealous Catholic priest. I think he could outrun me even if I could go back to the age of 45; he is a perfect specimen of manhood, and perfectly loyal. Another one was from a Methodist preacher. I have not had a great many applications, but my attention has been called to it as it has been called to other candidates for chaplain who are not ordained ministers. But that is within the power of the President to cure because he makes the nominations, and I am content with the amendment which has been offered by the gentleman from Kansas upon that point. But I think that we can trust the Secretary of War and trust the board of ministers that are consulted, and trust the examining surgeons. I will say to you now that if I was called upon to die immediately and wanted religious consolation I would not take any 30-year-old chaplain. [Laughter.] I would get one of mature years that had had greater experience for that consolation. I trust, with all due respect to my colleague, that the committee will adopt the amendment.

Mr. HUMPHREYS. Will the gentleman yield?

Mr. CANNON. Yes.

Mr. HUMPHREYS. Is not the military age from 18 to 45 for enlisted men?

Mr. CANNON. Yes.

Mr. DENT. I beg the gentleman's pardon; it used to be 18 to 45, but it is now 18 to 40 by the draft act.

Mr. HUMPHREYS. Prior to this a man could enlist as a private and go into the ranks at the age of 45.

Mr. CANNON. Yes; I had forgotten about the change.

Mr. GREENE of Vermont. Mr. Speaker, I move to strike out the last word. I think none of us need preface our remarks on the floor with a reservation of respect for our venerable colleague who has stated the spiritual, religious, and the fellowship side of his case admirably, as he always does. We all cherish that regard for him always. But, in spite of his view, there has come a change in the spirit of the functions and responsibilities of chaplains in the Army. It began to manifest itself before war and has been heightened, deepened, and intensified by the awful experience in this world-run-mad war across the seas. No longer do men estimate the value of a chaplain by the skill or grace of his spiritual endowment alone, or his capacity to unfold the mysteries of theology, but he begins his career, and perhaps it may be said that he sums up his career, in his physical and mental capacity to live with and be a part of the night-and-day life of the young soldiers between the ages of 21 and 31 in the trench and on the battle field, in hospitals, in bivouacs, or in the billet. He must be a companion, he must be a fellow with them; his mind must not be so old and confirmed in impressions of his own experience or in the certainties of his own theology that he can not be all things to all men, but he must live and be with these men and must partake of all the essentials and demands of their daily life. I know, and we all know, that at the age of 45 we do not take the same interest in the same pleasures that the youths of 21 do. It would be something of a monkish task, religious as we might be, to sacrifice the cowl and habit and get down in a most reciprocal mood with the young man in a pastime of that character.

Mr. SLOAN. Will the gentleman yield?

Mr. GREENE of Vermont. Yes.

Mr. SLOAN. Is it not a fact that one of the functions of a chaplain, at least some of them, is to give advice? And is it not a fact that a young soldier would be more liable to accept advice on the problems that beset him of a man of mature years and experience than he would of a man who has not had that age and experience? Recollect this, that it is not making all of these chaplains men of mature years, but only that they may have some of mature years in a chaplaincy rank.

Mr. GREENE of Vermont. It would do all that, let me say to my friend from Nebraska, if the man of mature years and experience and all the record of saintliness had legs that were 21 years old so that he could go where the young man was dying. He has got to hasten to administer the last sacrament, or perhaps take the last dying wish as a message to the loved ones at home, and he must accept hardships not less than the man who gives his life in this great sacrifice.

Mr. BUTLER. Will the gentleman yield?

Mr. GREENE of Vermont. Yes.

Mr. BUTLER. I appreciate the force of the gentleman's statement, but would not all that be cured by a physical examination?

Mr. GREENE of Vermont. A man may be able to pass a standard physical examination and doctors may find his lungs, heart, and internal organs responding to the test, but he does not have that resiliency of youth which would support him when he comes to be exposed, and he may in five days be down with pneumonia and not have that youthful body to sustain him that he would have if he was a younger man.

That is the point involved in youth and years in active army service. As to having the old man for counsel and the young man for action, when Uncle Sam has a chaplain in the service, he wants to be able to determine that the first chaplain on the list can go anywhere he is called upon to go. He does not want chaplains, any more than soldiers, who have to be selected for particular service, who may have it said of them that this man is to be used for this service and this man on another service; that the other man is not strong enough for this, and so on. He wants such a man that the first called upon can move to the sphere of activity and perform the service required. He can not divided them into classes, and the chaplains must be just as young as the men they are trying to serve.

Mr. FESS. Mr. Speaker, the age of 40 is merely arbitrary, and the idea that one who is 41 is unfit to do the work that one who is 40 is fit to do is not to be accepted as a general rule. If we should go upon the basis that has been here announced, the former chaplain of the One hundred and tenth Pennsylvania Regiment, who is an honored Member of this body, and who

would be very much desired by the men of that regiment as a chaplain now—and I refer to our colleague, Dr. TEMPLE—could not be accepted. He would be too old. It seems to me the argument that because you want to increase the age would necessitate selecting men who are unfit because if they are older than a certain age they would be unfit does not have any strength to it.

Mr. GREENE of Vermont. Mr. Speaker, will the gentleman yield?

Mr. FESS. Yes.

Mr. GREENE of Vermont. Has the gentleman observed from his own experience and observations of others whether it is any easier or more certain for a man to recover from illness when he is 45 than it used to be when he was 25?

Mr. FESS. I am not sure that statement is true, except where you have reached the age of debility. I do not think senility is reached at the age of 40. I know that a very distinguished physician said that those who reached 40 would never learn any more. I do not believe that is true. Goethe wrote Faust when he had reached the age of 80, and our distinguished ex-Speaker never was more effective than at the age of 82.

Mr. GREENE of Vermont. True; but those were mental labors, not those that require the absolute control of a youthful body that could withstand all of the shocks of hell and come out alive.

Mr. FESS. I do not think that because a man has gone beyond the age of 40 he has ceased to be efficient. I do not think that rule would hold at all, and therefore I hope the amendment will be adopted.

Mr. BUTLER. Did I understand the gentleman from Vermont to say that our very highly respected ex-Speaker can not sit up all night if he wants to?

Mr. GREENE of Vermont. I did not make any such observation, and I hope the time will never come when he can not.

Mr. DENT. Mr. Speaker, I move the previous question on the bill and all amendments to final passage.

The previous question was ordered.

The SPEAKER pro tempore. The question is on agreeing to the amendment offered by the gentleman from Alabama [Mr. DENT].

The amendment was agreed to.

The SPEAKER pro tempore. The question now is on the third reading of the Senate bill.

The bill was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. DENT, a motion to reconsider the vote whereby the bill was passed was laid on the table.

WAR MEDALS FOR AMERICANS.

Mr. DENT. Mr. Speaker, to those members of the committee to whom I have given a list of the bills to be called up I desire to say that the next bill is one to provide medals of honor, and I ask that it be laid aside temporarily; and the bill following that, to permit Americans to wear foreign medals, the chairman of the Committee on Naval Affairs has asked me to postpone the consideration of.

The SPEAKER pro tempore. Then those bills will be passed over temporarily.

COMMUTATION TO COMMISSIONED OFFICERS.

Mr. DENT. Mr. Speaker, I next call up the bill (S. 3863) to provide quarters or commutation thereof to commissioned officers in certain cases.

The SPEAKER pro tempore. The gentleman from Alabama calls up a bill, which the Clerk will report.

The Clerk reported the title of the bill.

The SPEAKER pro tempore. This bill is on the Union Calendar.

Mr. DENT. Mr. Speaker, I ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

The SPEAKER pro tempore. Is there objection?

Mr. STAFFORD. Mr. Speaker, reserving the right to object, I believe this bill involves an expenditure of some \$33,000,000 by the National Government. I think it is too important a bill to be considered in that way. I object.

Mr. DENT. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (S. 3863) to provide quarters or commutation thereof to commissioned officers in certain cases.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill S. 3863, with Mr. CRISP in the chair.

The CHAIRMAN. The House is in Committee of the Whole on the state of the Union for the consideration of the bill, which the Clerk will report.

The Clerk read as follows:

A bill (S. 3863) to provide quarters or commutation thereof to commissioned officers in certain cases.

Mr. DENT. Mr. Chairman, I ask unanimous consent that the first reading of the bill be dispensed with.

The CHAIRMAN. The gentleman from Alabama asks unanimous consent that the first reading of the bill be dispensed with. Is there objection? [After a pause.] The Chair hears none.

Mr. DENT. Mr. Chairman, I will ask the gentleman from California, a member of the committee reporting the bill, to take the floor.

The CHAIRMAN. The Chair will recognize the gentleman from California.

Mr. KAHN. Mr. Chairman, before we get down to that stage I would ask the chairman of the Committee on Military Affairs whether we can not get an agreement as to general debate and would suggest not more than one hour. The committee has a very few additional bills, and it is desirable to finish those this afternoon, if we can. I suggest to the chairman that the committee rise for a moment and agree to a time for general debate on this bill.

Mr. DENT. Mr. Chairman, I move that the committee do now rise for that purpose.

The motion was agreed to.

Accordingly the committee rose; and Mr. FOSTER having resumed the chair as Speaker pro tempore, Mr. CRISP, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill S. 3863, and had come to no resolution thereon.

Mr. DENT. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill S. 3863, and pending that, I ask unanimous consent that all debate on this bill be limited to one hour. Has the gentleman from California any suggestion as to how that time is to be divided?

Mr. KAHN. I suggest that the chairman of the committee divide the time—

Mr. DENT. I know of no opposition over here to the bill.

Mr. BURNETT. Mr. Speaker, will my colleague yield? If there is no extended debate desired, why would not half an hour be sufficient?

Mr. KAHN. Well, I understand there will be some extended debate on the bill. I do not know but if debate finishes before an hour is over I imagine the committee can take up the bill under the five-minute rule. I should suggest not exceeding one hour.

Mr. DENT. I will ask that general debate be not exceeding three-quarters of an hour, and that the gentleman from California control the time.

Mr. WALSH. Mr. Speaker, reserving the right to object, if there is to be some opposition to the bill, ought not the party or parties who oppose the bill to have some part of that time?

Mr. DENT. I am trying to find out who the party or parties are who are opposing the bill.

Mr. KAHN. I will say frankly to the gentleman from Massachusetts—

Mr. WALSH. The gentleman from California indicated—

Mr. KAHN. That I will yield time to those who are opposed to the bill.

Mr. WALSH. I am not opposed to the bill.

The SPEAKER pro tempore. The gentleman from Alabama moves that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill S. 3863, and pending that he asks unanimous consent that general debate be limited to 45 minutes, to be controlled by the gentleman from California [Mr. KAHN]. Is there objection? [After a pause.] The Chair hears none. The question is on the motion to go into the Committee of the Whole House on the state of the Union.

The question was taken and the motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill S. 3863, with Mr. CRISP in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the further consideration of the bill S. 3863, and under the order of the House general debate is limited to 45 minutes, to be controlled by the gentleman from California. The Chair recognizes the gentleman from California [Mr. KAHN].

Mr. KAHN. Mr. Chairman, prior to the outbreak of the war an Army officer who did not occupy quarters at a military post

or at some camp was given commutation of quarters. That is, he was paid a certain amount of money to enable him to procure lodgings for himself and his family. When the war broke out, the Military Establishment was increased very largely, and a decision was rendered by the Comptroller of the Currency. That decision said, in effect, that where an officer was present with troops in the field, and occupied a tent, that constituted quarters so far as that officer was concerned. In other words, the Government was furnishing him quarters, and he was not entitled, therefore, to commutation of quarters or an allowance of rent for lodgings for himself and his family. The effect of that decision was practically a reduction of the salary of the Army officer, because officers were promptly ordered to various commands and were assigned to the various Army camps of this country. Their families occupied rented quarters and the officer had to pay for those quarters out of his own pocket. I take it that the Government never intended to do anything of that kind.

Mr. FESS. Will the gentleman yield for one question?

Mr. KAHN. I do.

Mr. FESS. Did that apply only to an officer who had a family or apply also to an officer who had not a family?

Mr. KAHN. It applied to every officer who rented quarters and lived in them.

Mr. FESS. Whether he had a family or not?

Mr. KAHN. Whether he had a family or not, and I may add that this allowance was given him in accordance with the grade he had attained in the Army. In other words, a second lieutenant only got an allowance for two rooms; and as he advanced in the Army and finally became a colonel or a general he got many more rooms. Where the Government could not furnish rooms or a building to house him the Government gave him an allowance to take care of that. Now, the purpose of this bill—

Mr. HELM. Will the gentleman yield?

Mr. KAHN. In a moment. The purpose of this bill is to allow those officers who have families or dependents to get an allowance during this war. Now I yield to the gentleman from Kentucky.

Mr. HELM. How will this bill affect those officers who are at the different cantonments of the United States?

Mr. KAHN. Well, if a cantonment is at a military post and there are buildings at the post which the officer can occupy with his family, the Government would furnish him a home where he and his family could live. But in the case of a cantonment where there are no quarters for officers and he simply gets a tent that he lives in or a rough shack which is put up for him, he is not given commutation of quarters. The decision of the comptroller was that he is getting quarters when he is in the field, and was therefore not entitled to the allowance.

Mr. HELM. Would an officer at one of the cantonments with officers' quarters be entitled to commutation?

Mr. KAHN. Yes; if he has a family or if the quarters are such that he can have his family with him, I take it, he would not get the commutation, but would get the quarters. But in cases where he would simply have a room for himself, I take it that he would get the commutation if we pass this law.

Mr. HELM. Is this bill intended to affect officers in the United States and officers in France?

Mr. KAHN. I so take it; yes. Because the gentleman can well conceive of this kind of a condition in France: An officer who is not immediately at the front, but who is performing staff duty, say, in Paris, and has got to have some place in which to live, ought not to be called upon to go down into his own pocket to furnish those quarters.

Mr. HELM. Now, the officers are in France. Are the families of these officers there?

Mr. KAHN. No; but the family is generally occupying rented quarters here. Therefore under this proposed legislation he is given the commutation in order to pay the rental of those quarters for his family.

Mr. HELM. Now, let us see just a moment. There have been thousands of officers added to the Army since the war broke out. A very large percentage of those officers came from civilian life. They had their homes; they owned them; and their families are now occupying the homes that the officer occupied with his family before he was commissioned as an officer. He is now at an Army post. His family is at home, we will say, in the house that he owns and in the house that the officer calls home. Would that officer be entitled to commutation?

Mr. KAHN. He would. Let me show the gentleman the other side of the picture.

Mr. HELM. In other words, he would be entitled to rent on his own home, would he?

Mr. KAHN. He would be entitled to commutation. Here is the situation: The officer who has a home and who is not in the field gets his commutation anyhow. He is getting it now, in cases such as the gentleman cites, if the man happens to be with the staff somewhere. But you have in the Army, in addition to the class of men mentioned, many a man who has not anything but ability, patriotism, and courage. He is willing to give his services to the Government of the United States. Why should he be penalized, why should these places be held open only for men who have homes in some city, who own their own homes? Why should not the poor man have a chance to go into the Army and, if possible, go as an officer? You can not pass any law that will work equitably in every case. We have to take the general average.

Mr. MAPES and Mr. BANKHEAD rose.

Mr. KAHN. I yield first to the gentleman from Michigan [Mr. MAPES].

Mr. MAPES. I would like to ask the gentleman if this law makes any distinction between the men of the Regular Army and the National Army?

Mr. KAHN. No.

Mr. MAPES. The officers of the National Army and the National Guard would be entitled to the same commutation of quarters as the others?

Mr. KAHN. Yes. It says "every commissioned officer of the Army of the United States on duty in the field," and that includes the Regular Army, the National Guard, and the National Army.

Mr. MAPES. I am very much in favor of the bill, and I wanted to have that point clear.

Mr. BANKHEAD. Are all of these staff officers who are now on duty in the city of Washington, an almost innumerable number, entitled to this commutation of quarters?

Mr. KAHN. They get it now.

Mr. BANKHEAD. And the officers in the field who are serving with the soldiers are deprived of it?

Mr. KAHN. Exactly. Every one of those staff officers is entitled under the law to get his commutation now, and they do get it, I suppose. But the man who is away from his family, the man who is out in the field fighting, does not get the allowance. He has to pay for the rent of the quarters for his family out of his regular salary.

Mr. SANDERS of Louisiana. Will the gentleman permit a question?

Mr. KAHN. Certainly.

Mr. SANDERS of Louisiana. Then, unless this bill is passed, as I understand it, the man actually in the field is penalized under the construction of the Comptroller of the Treasury?

Mr. KAHN. Quite so.

Mr. FAIRFIELD. Is this construction of the comptroller a new construction of the law, different from what it has been before?

Mr. KAHN. I take it the matter had not been passed upon prior to this decision. It was always allowed without question, there was no question raised by any comptroller previously, but since we got into the war the question was raised, and that decision was rendered. This law is intended to correct this palpably very serious hardship on the officers of the Army.

Mr. ELSTON. Will the gentleman yield?

Mr. KAHN. Certainly.

Mr. ELSTON. Apropos of what the gentleman is saying, I happened to get a letter to-day from a captain, who, when at home, resides in my district, but who is now stationed in France. He wrote to a friend, who sent me what he says. In the letter he states:

We have been held in very expensive places awaiting orders all along the line, when the daily expense is not less than \$5 per day.

Every dollar of this would come out of his own pocket. Is that a characteristic situation of a great many officers on duty in France to-day?

Mr. KAHN. I understand it is.

Mr. ELSTON. That would be at the rate of \$150 a month.

Mr. KAHN. I understand it is that situation that brings about the necessity for this legislation.

Mr. FESS. Will the gentleman yield for another question?

Mr. KAHN. Certainly.

Mr. FESS. I am still in doubt on the matter of unmarried commissioned officers. Is the unmarried commissioned officer here in the Capital—

Mr. KAHN. He is getting his, but under this law he will get it only if he maintains a home.

Mr. FESS. That is what I am trying to get at.

Mr. HELM. Will the gentleman yield further?

Mr. KAHN. Yes.

Mr. HELM. Is the gentleman in position to inform the House what was the total amount of commutation charges prior to the declaration of war?

Mr. KAHN. I do not recall, but I think we allowed in every Army appropriation bill something like \$1,000,000 a year. I am not quite sure about that, but I think that is about the amount.

Mr. HELM. What is the estimated cost under this bill?

Mr. KAHN. Thirty-three million five hundred thousand dollars.

Mr. HELM. The total, then, would be thirty-five millions?

Mr. KAHN. No; the total would be \$33,500,000.

Mr. ALMON. Mr. Speaker, will the gentleman yield for a question?

Mr. KAHN. Yes.

Mr. ALMON. You understand from this bill that an officer engaged in foreign service would be entitled to commutation, regardless of whether his family remained here or went abroad?

Mr. KAHN. The State Department is not allowing the families of officers to go abroad. They are not issuing passports to them. They have refused to issue passports.

Mr. ALMON. Then, according to the gentleman's statement, the probabilities are that their families would all remain here?

Mr. KAHN. The very purpose of the bill is to give them commutation for their families over here.

Mr. ALMON. Then it is immaterial as to where the families were located at the time they were engaged in the service?

Mr. KAHN. Yes. The State Department, as I understand it, has issued an order that the families of officers or men can not accompany them to the other side.

Mr. OLNEY. Mr. Speaker, will the gentleman yield?

Mr. KAHN. Certainly.

Mr. OLNEY. For the benefit of the House I would like to point out an instance of the wife of a lieutenant colonel, the lieutenant colonel being in the field, with no expenses allowed for commutation, yet this young woman, with a small family, is obliged to accept a clerkship at \$70 or \$80 a month, she not having the benefit of commutation.

Mr. STAFFORD. Mr. Speaker, will the gentleman yield?

Mr. KAHN. Yes.

Mr. STAFFORD. What is the occasion of the expenses of a lieutenant colonel so that he can not allot some of his salary for the maintenance of his wife?

Mr. OLNEY. No particular occasion, except that expenses in a city like Washington have been enhanced to a considerable extent, rents have gone up, and the cost of living has risen. There is a small family of three or four children attached to this family, and in order to live commensurately with their state of living in the past this lady accepted a position here to help out.

Mr. STAFFORD. If the officer were assigned here in Washington, I understand he would be allowed commutation.

Mr. OLNEY. But he is in the field.

Mr. STAFFORD. Then, what is there to prevent this lieutenant colonel from paying a portion of his large salary to his wife, so that she may not be obliged to accept a position in one of the departments here in Washington?

Mr. ELSTON. I understand she had to take this position in order to add to the allotment sufficiently to support her family.

Mr. STAFFORD. Here is the point I make, if the gentleman will permit: The fact that the lieutenant colonel, with a salary of several thousand dollars, is in a position to support his wife if he wishes, and what are the expenses of that lieutenant colonel whereby he does not allot sufficient amount for the support of his wife and children?

Mr. KAHN. If the gentleman from Massachusetts [Mr. OLNEY] will permit, I will try to answer the question of the gentleman from Wisconsin [Mr. STAFFORD]. The base pay of a lieutenant colonel, I believe, is \$3,600. Of course, he gets increases for every five years of his service.

Mr. DAVIS. Mr. Chairman, will the gentleman yield for just a question?

Mr. KAHN. Certainly.

Mr. DAVIS. I notice from the reading of the first section of the bill that it speaks of "during the present emergency for every commissioned officer of the Army of the United States." Does that apply to Marine officers?

Mr. KAHN. No. That is part of the Navy of the United States. This applies to Army officers. The three armies—the National Army, the National Guard Army, and the Regular Army—are referred to in legislation since the war began as "the Army of the United States."

Mr. DAVIS. Is there any law allowing for a Marine officer in the foreign service?

Mr. KAHN. I am not familiar with the law as it applies to the Navy officers. I am only informed as to the law applying to Army officers.

Mr. ALMON. Do they not get 20 per cent additional for foreign service—the Army officers?

Mr. KAHN. The enlisted men get 20 per cent additional and the officer 10 per cent.

Now, I want to answer the question of the gentleman from Wisconsin [Mr. STAFFORD], which he propounded to the gentleman from Massachusetts [Mr. OLNEY]. The Army officers have found it difficult in these days of the high cost of living to get along with the pay that has been given under the provisions of law fixing the salaries for Army officers. I dare say that the family of a lieutenant colonel has been living up to that salary, and has not been able to save a dollar. I believe that is especially true where there are a number of children. A man has to live up to his position. You can not expect a lieutenant colonel of the Army to live in cheap quarters in a large city. You can not expect him to allow his children to go around with clothing unbecoming the children of an officer of the United States Government. Everybody knows that the cost of everything has gone up enormously in recent years. I dare say that the lieutenant colonel whose case was cited by the gentleman from Massachusetts is only one of hundreds. They live up to the salary that they get. Their position requires it, and they have not saved a dollar for a rainy day.

Mr. STAFFORD. Mr. Chairman, will the gentleman yield?

Mr. KAHN. Yes.

Mr. STAFFORD. Take, for instance, the lieutenant colonel in the foreign service in the field. What are his expenses that will prevent him from allotting a portion of this \$3,000, plus 10 per cent additional for foreign service, for the maintenance of his wife and children at home, so that she will not be obliged to work, as in the case put by the gentleman from Massachusetts?

Mr. KAHN. I presume he makes a large allotment. But, in addition to all his ordinary expenses, he is also put to extraordinary expenses. In the first place, he is serving with the officers of the English Army; he is serving with the officers of the French Army. They entertain him. He has to return the compliment and entertain them. The cost is very high when you consider that phase of army life.

Mr. HELM. Mr. Chairman, will the gentleman yield?

Mr. KAHN. Yes.

Mr. HELM. The gentleman has just spoken about the American officer having to move in the same circle with the British officers, the French officers, and the Italian officers. How do their salaries compare with the salaries of like officers of the United States?

Mr. KAHN. The gentleman misunderstood me. I said that the American officer who has a family in this country has to live up to his station. Now, in Europe the European officer does not get as much pay as the American officer.

Mr. HELM. What does a lieutenant colonel, for instance, in the English Army get?

Mr. KAHN. I am not prepared to tell the gentleman. I do not know. I am frank about that. I did know, because I looked up those things in the past; but it has gone from my memory. But I do know that—

Mr. HELM. Which officer is the higher paid?

Mr. KAHN. The American officer.

Mr. HELM. By what percentage?

Mr. KAHN. I think the American officer gets at least 33 per cent more than the others.

Mr. ELSTON. Mr. Chairman, will the gentleman yield?

Mr. KAHN. Yes.

Mr. ELSTON. At that point I have an extract from the same officer whose letter I quoted a little while ago. He says that the English Army has recently raised the pay of officers to the same rate as ours and feeds them besides. I do not know whether that is a fact or not, but that is his information.

Mr. KAHN. I am willing to take that statement of my colleague. But let me call the gentleman from Kentucky's attention to this fact: The Government does not feed the Army officer. He has to furnish his own food, both in this country and abroad. The Government does not clothe the Army officer. He has to furnish his own uniforms—dress uniforms, fatigue uniforms, and regular uniforms. So his personal expenses are considerable every month, aside from the allowance that he makes to his family; and I take it that no officer of the United States Army is paid too much for the service he is giving his country.

Mr. SLOAN. Will the gentleman yield?

Mr. KAHN. Yes.

Mr. SLOAN. Is it not a fact that the officers of Great Britain and France and Italy are more usually from the wealthy families, and are supported from home more than are the American officers?

Mr. KAHN. That is quite true. Many of the officers in the armies of those countries are the sons of noblemen, and many others are the sons of very wealthy merchants.

Mr. HELM. To be a nobleman does not necessarily mean to be a rich man.

Mr. KAHN. Not necessarily; no.

Mr. SLOAN. Usually, though.

Mr. CARAWAY. The gentleman does not mean to say that is true of the French officers, that they come from rich families?

Mr. KAHN. No; I do not. At least not all of them.

Mr. CARAWAY. That was a part of the question.

Mr. KAHN. Neither is it true altogether of the English officers.

Mr. CARAWAY. Of course it is not. They come very largely from people who are well bred, but not rich. They are the poorer sons.

Mr. KAHN. But according to the statements I have read many of the officers in the foreign armies come from wealthy families.

Mr. SANDERS of Louisiana. Will the gentleman yield?

Mr. KAHN. Yes.

Mr. SANDERS of Louisiana. Is it not a fact that when an officer of our Army is ordered to France his equipment, including clothing, weapons, field glasses, and so forth, costs nearly \$1,000?

Mr. KAHN. That is true, and it has become a scandal and a disgrace, the way they are charging these officers for uniforms and equipment. [Applause.]

Mr. SANDERS of Louisiana. Is it not a further fact that these officers can not go to France unless they carry the equipment that the Government says they must carry?

Mr. KAHN. Yes; they must carry the entire equipment with them.

Mr. SANDERS of Louisiana. No matter what they have to pay for it, they have to get it?

Mr. KAHN. Yes; they have to take the equipment which the Government prescribes.

Mr. STERLING of Illinois. Will the gentleman yield?

Mr. KAHN. How much time have I remaining, Mr. Chairman?

The CHAIRMAN. The gentleman has used 30 minutes. He has 15 minutes remaining.

Mr. KAHN. I shall reserve the remainder of my time, because two or three gentlemen have asked me for time.

Mr. STERLING of Illinois. Will the gentleman yield for just one question?

Mr. KAHN. For one question.

Mr. STERLING of Illinois. Is the Military Committee likely soon to report a bill for the relief of Army officers, to give them better pay?

Mr. KAHN. I do not know of any such proposed legislation.

Mr. STERLING of Illinois. I think it is the duty of the committee at least to put that proposition up to the House.

Mr. KAHN. The War Department has not suggested it to the committee, and the committee have been so occupied with necessary legislation for winning this war that we have not had time to go outside to try to find business for the committee.

I now yield five minutes to the gentleman from Massachusetts [Mr. TREADWAY].

The CHAIRMAN. The gentleman controls the entire time. He has 15 minutes remaining and he yields 5 minutes to the gentleman from Massachusetts [Mr. TREADWAY].

Mr. TREADWAY. Mr. Chairman, on Saturday, on page 5121 of the Record, appears a statement made by me in relation to the Post Office order cutting off parcel-post packages to soldiers abroad. I stated that that order was issued on March 29, and went into effect on April 1, but that its actual operation has been postponed until April 15. Having made that statement on Saturday, I desire to correct it, as I find to-day that the order is in actual operation. The reason I made the statement was that I was quoting from the Official Bulletin, issued, as Members know, by the Committee on Public Information, in which, under date of March 29, appears the order of the Postmaster General, with the heading "Order issued restricting shipments of mail parcels to United States soldiers in France," and then another heading asking that wide publicity be given to the order.

Under date of April 2, in the same publication, the Official Bulletin, appears an official order from The Adjutant General

directing attention to the order issued under authority of the Secretary of War, signed F. W. Lewis, Adjutant General, postponing the operation of the order of the Post Office Department from April 1 to April 15. He asks that the same be published in the Official Bulletin, which it was under date of April 2. It reads as follows:

WAR DEPARTMENT,
THE ADJUTANT GENERAL'S OFFICE,
Washington, March 29, 1918.

From: The Adjutant General of the Army.
To: Gen. Frank McIntyre, Chief Bureau of Insular Affairs.
Subject: Reported increase in weight and bulk of parcel-post matter for soldiers.

Referring to letter from this office dated March 26, 1918 (311.16 OD, A. G. O.), in which it was requested that the War Department bulletin relative to articles being shipped by parcel post, express, or freight companies to be published in the Official Bulletin, you are informed that the date of action on this matter has been postponed from April 1 to April 15, 1918.

By order of the Secretary of War:

F. W. LEWIS,
Adjutant General.

My attention has been called to-day to the fact that parcel-post matter addressed to soldiers abroad is being refused at post offices. I made inquiry of the Post Office Department about 20 minutes ago in relation to this matter and was informed that the order of March 29 from the Postmaster General restricting the parcel-post shipments, and putting it in operation April 1, had never been changed. But the War Department issued a supplementary order postponing its operation until April 15. In other words, here is the situation: The Post Office Department makes one order, at the request of the War Department, prohibiting the shipment of parcel-post matter to soldiers after April 1, and the War Department countermands that order evidently, by stating that such parcels can be shipped until April 15, but the War Department seems to have no way of enforcing its order. I never saw wires crossed worse in my life, and the sufferers are our soldier boys abroad; because the Postmaster General asks that wide publicity be given to his order, in effect April 1, dated March 29, and every post office in the country where there is a father or mother of a soldier abroad knows that these packages can not be shipped, although the War Department was willing that these shipments should be continued until April 15. Now, it seems to me when such an important order as that is issued somebody ought to know what the authority actually is, and whether our boys can receive those desired packages from home or not. The whole thing is a mass of confusion. In my opinion the order never ought to have been issued. There is nothing that appeals to these boys more than to receive these packages, and certainly the two departments ought not to be in direct conflict as to the date when the order goes into effect. Having made the statement I did on Saturday, that parcels could be sent until April 15, I desire now to correct it, because the Post Office Department seems to have more authority than the War Department has in the premises.

The CHAIRMAN. The time of the gentleman has expired.

Mr. KAHN. Mr. Speaker, I yield two minutes to the gentleman from Louisiana [Mr. SANDERS].

Mr. SANDERS of Louisiana. Mr. Chairman, I received on Saturday evening three telegrams from my home city that were sent to me early Saturday morning relating the progress of the third liberty loan in my city. I ask that they be read at the desk in my time.

The Clerk read as follows:

BOGALUSA, LA., April 6, 1918.

Hon. J. Y. SANDERS, M. C.,
Washington, D. C.:

Your home city had the proud distinction of subscribing the entire allotment for the parish in three minutes after the time set for taking subscriptions. We are now over the hundred thousand mark.

E. R. CASSIDY,
City Chairman Third Liberty Loan.

[Applause.]

BOGALUSA, LA., April 6, 1918.

Hon. J. Y. SANDERS,
House of Representatives, Washington, D. C.:

Washington Parish, population 30,000, of which 16,000 reside in city of Bogalusa, went over the top at 8.03 central time this morning. Most of the business men of the city were up all night stirring up enthusiasm for loan and asking people to meet at the city building at 8 o'clock this morning ready to make their subscriptions. Entire \$80,000 allotted to this parish was quickly subscribed. Applications being handled by 15 clerks working at four tables. Last subscription, which took Bogalusa and Washington Parish over the top, was signed at 8.03. The total subscriptions will be considerably in excess of this amount as campaign progresses. Bogalusa is the largest sawmill city in the world, and has distinction of having more men in proportion to population enlisted in the Army and Navy than any other city we know of in the United States.

W. H. SULLIVAN.

[Applause.]

Hon. J. Y. SANDERS, M. C.,
Washington, D. C.:

BOGALUSA, LA., April 6, 1918.

Bogalusa went over the top. Double amount of the allotment, third liberty loan, at 8.03 central time this morning. You may tell Congress we have finished the third and are now awaiting their order to start fourth.

A. N. DOBBS,
Secretary Washington Parish Committee.

[Applause.]

Mr. KAHN. Mr. Chairman, I yield five minutes to the gentleman from Mississippi [Mr. HUMPHREYS].

Mr. HUMPHREYS. Mr. Chairman, if I understand this bill, it is an attempt to put the officers in the field on an equality, as far as their pay is concerned, with the officers who are not assigned to duty with troops but are quartered in other places. In that I, of course, concur. It occurs to me, however, that the bill has been worded so as to discriminate rather, even yet, against the officers assigned to duty, and I ask the attention of the gentleman from California to this fact. Under the law now, as I understand it, officers get commutation for quarters, heat, and light, whether they have any family dependent upon them or not. But they do not get it if they are with the troops in the field. They get it in Washington and other places, but if ordered away they do not get it. This provides that those who may be ordered away into the field service with the troops can get pay, provided they have dependents in their families to take care of.

Mr. KAHN. The gentleman is quite right.

Mr. HUMPHREYS. It occurs to me that that distinction should not be made. Take a captain in Washington who has no family; he gets commutation for four rooms, heat, and light. Now, under this bill the captain who is with the troops gets commutation for four rooms, provided he has a dependent, but he still gets no commutation for heat and light.

Mr. CANNON. Will the gentleman yield?

Mr. HUMPHREYS. Yes.

Mr. CANNON. As I understand, the officer who is with the troops, if the Government gives him quarters, he gets no commutation, but the ruling has been made that if he is quartered in a tent he is entitled to commutation.

Mr. HUMPHREYS. Provided he has dependents—wife or child or dependent parents—but if he is unmarried and lives in Washington City or New York, or wherever he may be detailed, he gets commutation, although he has no family to support.

Mr. KAHN. If the gentleman will permit me, if he has no family and is living in Washington or New York, he is getting the commutation now, and he gets it under this bill just the same.

Mr. HUMPHREYS. I understand he does.

Mr. BURNETT. But the fellow living in Paris would not get any, although his expenses would be greater.

Mr. HUMPHREYS. The man on the battle line does not get it unless he has a dependent at home, and then he only gets commutation for quarters, whereas the officer in Washington, without reference to whether he has a family or not, gets commutation for quarters and commutation for heat and light. It occurs to me that that is not right. The purpose that Congress has in mind, as I understand it, is to take care of the family of the officer. Now, instead of prescribing that the officer shall have commutation for two rooms if he has a certain number of dependents, or eight rooms if he has another number, the law says that a second lieutenant shall have two rooms, a captain four rooms, and a major six or eight rooms, or whatever it is; a colonel such a number. Now, the captain may have 10 children and the colonel none, but that makes no difference. We provide that the colonel shall have so many rooms and the captain less. It occurs to me that the words "on duty in the field or on active duty without the territorial jurisdiction of the United States" should be stricken out, so that the bill will read:

That during the present emergency every commissioned officer of the Army of the United States who maintains a place of abode for a wife, child, or dependent parent, shall be furnished—

And so forth.

I think he ought to have commutation wherever he lives if the others are to get it.

Mr. KAHN. Mr. Chairman, I yield three minutes to the gentleman from Indiana [Mr. VESTAL].

Mr. VESTAL. Mr. Chairman, I am interested in what the gentleman from Mississippi has been saying in reference to this bill. It was the thing I wanted to ask the chairman of the committee about. I understand that the law as it is now, the act of 1907, provides commutation for officers and gives them heat and light allowances. It is my understanding that the purpose of this bill is to place the officers when they are in the war on the same footing as they have been when we were at peace. That is practically what they have proposed to do.

But it does seem to me that the bill proposed by this committee ought to be amended to include the heat and light allowance. It seems to me it is no more than fair. I may be wrong, but here is an officer who leaves this country and goes across the ocean to fight. His wife and children can not go there. Both the officer and his family are put to enormous expense. There is no question about that. The officers are not receiving any higher salary than they were before. In other words, as the law stands to-day, the officer on active duty is practically penalized from \$50 to \$150 a month for fighting for this country. That is exactly what it means. It seems to me that the families of these officers ought to be allowed quarters or the officers be allowed commutation not only for quarters but for heat and light as well. It seems to me it is no more than just. I know that at the last session of Congress I introduced a bill for this same purpose, and the bills are practically alike, except that in the bill I introduced I provided that in addition to the commutation for quarters they should have commutation for heat and light as well. I believe that ought to be added to this bill.

Mr. ELSTON. Are those two allowances—for heat and light and for quarters—provided for by different statutes entirely or are they both included in this same statute of 1907 referred to in this bill?

Mr. VESTAL. I think there is but one statute covering the matter. I would say to the gentleman that when I prepared my bill I had a talk with a number of officers about it—that is, as to whether, unless specifically mentioned, the bill would carry heat and light allowances. I discussed the proposition, and the officers I talked to said that unless heat and light allowances were added it would probably not be included.

Mr. HELM. Mr. Chairman, will the gentleman yield?

Mr. VESTAL. Yes.

Mr. HELM. I notice on page 3 of the report that the present cost in peace times of commutation of quarters amounts to \$737,500. If I understand the drift of the gentleman's argument, it is that he wants to do equal and exact justice between all officers, both as to commutation of quarters and heat and light?

Mr. VESTAL. Yes.

Mr. HELM. And at the same time conserve the resources of the United States. Could not that be done by repeating this measly sum of \$737,500 and saving that sum, and then the \$33,000,000 that this is going to cost the Government could be utilized and expended in maintaining our end of the war and in assisting our allies by loaning them money and prosecuting this war more effectively. In other words, does the gentleman think it is necessary to appropriate \$33,000,000 annually in order to equalize the present number of officers in the Army with the obviously comparatively few number of officers in the Army who are receiving only \$737,500?

Mr. VESTAL. I can not yield for a speech. What I mean to say is this: That, in my judgment, the officers of our Army in time of war and their families ought to have the same treatment at least that they have in time of peace, and that is what this bill is proposing to do, outside of the commutation for heat and light. I hope that this bill will be amended so as to make it sure that it carries commutation for heat and light as well as for quarters.

The CHAIRMAN. The gentleman's time has expired. All time has expired under the order of the House. The Clerk will read.

The Clerk read as follows:

Be it enacted, etc., That during the present emergency every commissioned officer of the Army of the United States on duty in the field, or on active duty without the territorial jurisdiction of the United States, who maintains a place of abode for a wife, child, or dependent parent, shall be furnished at the place where he maintains such place of abode, without regard to personal quarters furnished him elsewhere, the number of rooms prescribed by the act of March 2, 1907 (34 Stats., p. 1169), to be occupied by, and only so long as occupied by, said wife, child, or dependent parent; and in case such quarters are not available, every such commissioned officer shall be paid commutation thereof at the rate authorized by law in cases where public quarters are not available; but nothing in this act shall be so construed as to reduce the allowances now authorized by law for any person in the Army.

Mr. McKENZIE. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Add, after the word "Army," at the end of line 7, page 2, the following: "except that in all cases where civilians have been commissioned in any branch of the military service, such officers shall only be entitled to quarters or commutation for quarters when required to change their place of residence in compliance with orders from the War Department."

Mr. McKENZIE. Mr. Chairman and gentlemen of the committee, I have not a word of criticism against the men in the Staff Corps of our Army who are detailed here in Washington or elsewhere. I understand these men are here because they are under orders to render service here in Washington, I did

not object to the law giving to those men the commutation that is provided by statute, but this bill is intended to give to the men in a small way that recognition and justice to which they are entitled who are serving our country in the field. In other words, it is an attempt in part to put the man who is with troops in the field on the same footing as the officer in our Army who, while rendering patriotic and efficient duty, remains, perhaps, in the safe seclusion of this great Capital City of ours or in some other secure place in our country. This is an effort to give to the men who are officers in the line, in the field, and in France the same recognition they would receive if they were in Washington. But the purpose of my amendment, which you have just heard read, is not to take from any officer in the Regular Establishment the commutation to which he is now entitled, nor is it in any way to do an injustice to the man in the field; but I can not help but feel that we ought, even if in a small way, to take into consideration the fact that the taxpayers of this country will have to meet these bills, and where it is not necessary to make the payments, in my judgment, we ought to cut them out. Now, what does my amendment do? It simply means this, that if a young man, or an old man, for that matter, has been working in one of the Government departments or has been in business in this city and has been receiving \$1,400 or \$1,500 or \$1,600 a year, and he has been going to his work every morning in civilian clothes, wakes up some morning and finds that he is an officer in the Army of the United States, and he goes down and buys a uniform and leather leggings and goes back to work at a salary of \$2,000, perhaps, or \$2,400 a year, and goes back to his habitation at night, does not even change the bed in which he has been sleeping for years, has no greater expense to pay—it simply provides that in those cases, whether in the city of Washington or in the central division of our Army at Chicago, or elsewhere, that such officer shall not be entitled to reach into the Treasury of the United States and take therefrom commutation for quarters; that he is getting better pay from his Government, perhaps, in most instances than he received before, and he shall not be entitled to it until he removes from his place of abode or his residence and goes into the field or to some other place of activity away from his home.

To my mind it is simple justice. It is only fair play, and to say that a man who lives here in this city—and it is no reflection on a man to live in the city of Washington—that because he has been commissioned in the Army of the United States at a higher salary perhaps than he ever received in his life, that it is incumbent upon this Government to still add to his pay commutation for rooms, and perhaps heat and light, as one gentleman said, because he has been commissioned in the Army of the United States, is unreasonable. I simply ask you gentlemen in the interest of justice, in the interest of respect if nothing more to the uniform of the man who is an actual soldier, that you adopt this amendment. I have no personal interest in it whatever, but I do believe that the time has come when there ought to be at least some bar put up to prevent this kind of thing going on here or elsewhere.

Mr. BANKHEAD. Will the gentleman yield?

Mr. McKENZIE. I will.

Mr. BANKHEAD. I want to ask the gentleman how his amendment would affect the case of a man who is in the Regular Army for a number of years and on temporary duty here in Washington?

Mr. McKENZIE. It would not touch him. I am for that fellow because he has dedicated his life to the Army of the United States and is entitled to some consideration.

Mr. BANKHEAD. It only applies to those recently appointed?

The CHAIRMAN. The time of the gentleman has expired.

Mr. McKENZIE. I ask for one minute more.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. KING. I would like to ask the distinguished gentleman from Illinois, a member of the committee, since we are punishing these individuals, if we did not bring these boys to this city and whose fault is it?

Mr. McKENZIE. I will say to the gentleman I am not trying to punish them or criticize them.

Mr. KING. Whose fault is it if a man is grabbed up during his dreams or during his sleep and put into a major's uniform? He can not do it himself.

Mr. McKENZIE. Of course if he is built of the right material he will not get up in very much of a fright; but if he happens to be a little gun shy, of course it will be disturbing to him.

Mr. KING. But it is seeking to punish a good military officer,

Mr. McKENZIE. That is not my purpose; I am simply trying to do what I think is just.

Mr. MAPES. Will the gentleman yield?

Mr. McKENZIE. I will.

Mr. MAPES. The gentleman says he wants to have this apply to the real soldier. If I understand the amendment of the gentleman correctly, he would give this commutation of quarters when they come here from other cities and who are not any more soldiers than the man who happens to live in the District. Am I correct?

Mr. McKENZIE. This bill is founded on the basis that the extra cost of living to the soldier is such that he ought to have it. I am willing to go that far when he is put to the additional expense. I am after the man who has not been called upon to make the sacrifice.

Mr. MAPES. The gentleman's amendment only applies to those living in Washington and who continue to live here, or continue to live in some other city and might be doing some military work.

Mr. McKENZIE. Where they were not required to be put to that added expense.

Mr. BURNETT. Mr. Chairman, the gentleman is a member of the Military Affairs Committee, and I want to ask him if the War Department and the committee have not been able to work out any plan by which they can check, if not stop, this infamous profiteering on the uniforms of the officers? Is there not some way by which those outlaws and robbers can be stopped or punished for that kind of profiteering? I understand the salary of these officers is taken for a month or two in paying for the uniforms that are furnished to them. Is there no way to stop that?

Mr. McKENZIE. I understand that is being handled by regulations in the War Department now.

Mr. KAHN. And has been stopped.

Mr. McKENZIE. And has been stopped.

Mr. ELSTON. Does the gentleman know anything in the history of the Signal Corps which compels an officer to pay \$45 a pair for boots of a peculiar make, and which are not of what you might call a usable nature, being more ornamental than anything else, and have attached to them a pair of spurs which have no practical use, and no use whatever except by way of ornament?

Mr. McKENZIE. If a man asked me why a man who rode a bucking broncho should need spurs, I could answer him, but I can not answer the other question.

Mr. GREENE of Vermont. This is the history of that case: In the origin of the service the Signal Corps men were mounted men, but there has been no change in the custom or practice in the service as to the matter referred to, although the service itself has been through many changes.

Mr. KAHN. Mr. Chairman, I rise in opposition to the amendment. Let me call my colleague's attention to some facts. There are many men called to Washington in the Ordnance Department. They are graduates of universities and they have special knowledge of chemistry. Their services are essential to the country in this crisis.

Mr. McKENZIE. Will my colleague yield?

Mr. KAHN. Yes.

Mr. McKENZIE. You did not take it that I was making any criticism of the men?

Mr. KAHN. Oh, no. I am not saying you are criticizing, but I want to show why these men ought to get this commutation; that is all. These men were probably earning \$1,500 or \$1,600 in their vocations. They are young men, but they are skilled. They are skilled in their profession and their services are of great value to the country. They are commissioned as second lieutenants to begin with; at least most of them are. They get a salary of \$1,700 a year. They all have their family in the town from which they come.

Mr. McKENZIE. I would not cut that gentleman out—a man who comes from some other section of the country and has a home to maintain.

Mr. KAHN. Well, suppose here in Washington there are men who are peculiarly fitted for the duties they are called upon to perform and who can give the country valuable service in this hour of emergency, would the gentleman penalize them for going into the service of the United States? That is what his amendment would do. They would not be getting this commutation of quarters at all, and yet their expenses are enormously increased the moment they put on their uniform. They have to equip themselves with a full set of uniforms. They have to buy all the accessories, and I am told that these cost now about \$600 for the average man who goes into the Army as an officer—the various uniforms and the equipment that he requires.

Take men in the Quartermaster Corps. That corps has to have specialists. They have lots of them, men who are familiar with cotton canvas, for instance. Every foot of it the Government buys has to be inspected and can only be inspected by experts. And the same is true with woolen cloth, with leather which is used for harness, with leather that is used for shoes. These men are experts, and many of them come from this city of Washington. Would you cut them out of these allowances? Many of them were getting when they entered the service more salary than the Government now pays them.

Mr. GORDON. The observation which the gentleman has made is unquestionably true, but they are not directed to the amendment of the gentleman from Illinois [Mr. McKENZIE]. His proposition, if I understood it, is that where these officers who are commissioned are not detailed away from their homes and do not change their place of residence they shall not receive allowances in lieu of quarters.

Mr. KAHN. That is what I am speaking about.

Mr. GORDON. So far as quarters are concerned, the cost of living is not increased at all.

Mr. KAHN. I am not claiming that it is.

Mr. GORDON. Then, why should they have an allowance in lieu of it?

Mr. KAHN. I am claiming that in many cases they do not get as much salary as they were getting before they went into the Army, and great expenses have been put upon them by reason of the fact that they have gone into the Army.

Mr. BLACK. Will the gentleman yield?

Mr. KAHN. And if a man goes into the Army, as the gentleman [Mr. GORDON], who is on the committee, knows, he generally goes as a second lieutenant, at \$1,700 a year, and yet he may have been occupying in some business house a position in which he was getting \$2,400 or \$3,000 a year. Would you penalize a man because he is patriotic enough to give his services to his country?

Mr. HUMPHREYS. Does the gentleman know of any expert in the purchase of cloth or rubber or any of these things that he speaks of who has been commissioned in the Quartermaster Department as a second lieutenant?

Mr. KAHN. I understand that there are such men. I understand, too, that in the Ordnance Department there has been quite a number.

Mr. HUMPHREYS. As second lieutenants?

Mr. KAHN. I think so, but I am not certain as to that.

Mr. HUMPHREYS. Just one question more. Two or three thousand of these young men went to the training camp and got commissions. They were then assigned to the Quartermaster's camp, after being commissioned second lieutenants. They then went to Jacksonville and served three months in that school in the Quartermaster's camp, and nearly every one of them is a second lieutenant to-day, whereas quite a number of young gentlemen who did not go to the training camp, and did not go to Jacksonville, are commissioned as first lieutenants and as captains.

Mr. KAHN. Yes; and some of them as majors.

Mr. HUMPHREYS. Those commissioned as majors are, as a rule, men who are expert along the line the gentleman has suggested. These boys who went in as second lieutenants after six months' training—

Mr. KAHN. Three months' training.

Mr. HUMPHREYS. Six months' training; three months in the training camp and then they were commissioned, and then served three months in training in the Quartermaster's camp, so as to become expert; and at least nine out of ten of them are still second lieutenants; and it is not infrequently the case that young men are put in over them as first lieutenants and captains—men who can hardly be called experts.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. KAHN. Mr. Chairman, I ask for five minutes more.

The CHAIRMAN. The gentleman from California asks unanimous consent to proceed for five minutes more. Is there objection?

There was no objection.

Mr. LITTLE. Mr. Chairman, will the gentleman yield?

Mr. KAHN. First, I want to answer the remarks of the gentleman from Mississippi [Mr. HUMPHREYS]. Of course the moment we got into this war and our armies were enormously expanded the War Department began to commission men in various lines of endeavor so as to get the benefit of the experience of those men. I dare say if we had had a very large Quartermaster Corps it would not have been necessary to commission men in the higher grades, but it was necessary at the beginning of this war, and that is how some of these higher-grade commissions were issued. But after all, in an emergency

like this, you can not expect to have equal justice done in every individual case. You are lucky if you do not have glaring inconsistencies throughout the service.

Mr. LITTLE. Now, will the gentleman yield?

Mr. KAHN. Yes.

Mr. LITTLE. May I ask the gentleman this question: Do the young men from this District who have commissions here as majors or lieutenants receive allowances?

Mr. KAHN. They do.

Mr. LITTLE. A man could live at home, where he has been living all his life, and get allowances for quarters, while the fellow in Europe does not?

Mr. KAHN. If he goes abroad with the Army he does not.

Mr. WALSH. Mr. Chairman, will the gentleman yield?

Mr. KAHN. Yes.

Mr. WALSH. Does the gentleman base his contention on the argument that these skilled men are doing that or on the fact that they have been commissioned?

Mr. KAHN. Naturally, upon both. The fact that they are doing this skilled work for the Government is one consideration. They may have been occupying positions right here in Washington, receiving \$3,000 or even \$4,000 a year as experts. The Government reaches out and says, "We need your services. We can give you a commission, but we can only commission you as a second lieutenant."

Mr. WALSH. Will the gentleman yield further?

Mr. KAHN. Yes.

Mr. WALSH. What has the gentleman to say, then, about these young men who possess this technical knowledge, and who have been drafted, and who are receiving the pay of privates, and have been put on this technical work of inspecting cloth, for instance, as privates in the Army at the pay of privates? They get none of this extra pay or commutation for the work they are doing.

Mr. KAHN. Yes; but the private is in line for a commission when vacancies occur, and the privates are frequently commissioned.

Mr. WALSH. Vacancies are rather infrequent in the case of a private.

Mr. KAHN. The present reserve officers' training camp is made up entirely of private soldiers.

Mr. WALSH. But the privates are still doing inspection work.

Mr. KAHN. That is an incident of their service. They are put in the Quartermaster Corps to do that work of inspection because of their skill, and that is an incident of service in every army throughout the world.

Mr. ELSTON. Mr. Chairman, will the gentleman yield?

Mr. KAHN. Yes.

Mr. ELSTON. I notice a communication from the Secretary of War which is printed in the report accompanying the bill, and I notice the statement is made that these allowances have always been considered a part of the compensation of the officers; that is, by tradition and custom it has come to be practically an addition to their salary. That is in the nature of an allotment of a wage.

Mr. KAHN. Yes.

Mr. ELSTON. A colleague has just suggested that it is included in the income tax as a part of the wage.

Mr. KAHN. Yes.

Mr. MCKENZIE. Mr. Chairman, will the gentleman yield?

Mr. KAHN. Yes; I yield to my colleague.

Mr. MCKENZIE. I know that there are injustices here and there, and we are unable to prevent that. I quite agree with my colleague on that point, but I want to ask my colleague if he does not believe that when an injustice is apparent, as in this case, it is our duty to cure it?

Mr. KAHN. Oh, I think that every man in the country ought to make sacrifices for his country, especially when his country is in war. But because many men have to make these sacrifices a great country like this ought not to punish its faithful citizens because they want to serve it in an honorable way.

The CHAIRMAN. The time of the gentleman has expired.

Mr. GREENE of Vermont. Mr. Chairman, I move to strike out the last word. I only want to call attention to one phase of this thing which does not seem to have been very much developed. As was suggested by the gentleman from California [Mr. ELSTON], ever since these allowances for commutation of heat, light, and quarters have been in the law, the money so paid has been considered a part of the pay and allowances of the officer. In other words, it has been swept up into his compensation. It does not make any difference whether he is a married man or whether he is an unmarried man. When he gets into a certain grade he has a certain allowance, as the gentleman from Mississippi [Mr. HUMPHREYS] has indicated to you, a certain allowance for rooms, according to his grade, and

then the allowance for heat and light that goes with them. Now, that has gone on for all these years as a part of the compensation of the officer. What is incidental to it? Just exactly the same experience that men have in civil life. Two men are engaged in any occupation, one may be married and one unmarried, and yet it is only fair that the compensation for the character of service performed by them should not be affected at all, in the one case or in the other case, because one man is married and one man is not married. It is the value of the service that is being rendered, and not the domestic status of the man who renders the service, for which the reward is paid.

Now, if you pass this bill exactly as it is, you are going to have two scales of compensation for officers of the same grade in the United States Army, no matter what grade they are in. Part of them, if they are married, will get one kind of pay, and if they are unmarried they will get another kind of pay. You will have two different kinds of allowances for each grade, depending upon the domestic status of the men, something you would not think of tolerating in civil life at all.

And there is another proposition involved in the amendment moved by my colleague from Illinois [Mr. MCKENZIE]. It is true that there is an apparent superficial injustice in the fact that certain men living in a city for the time being are put to no extra expense by performing military duty in that city, and it may be that there is some color to the suggestion that they ought not to have been commissioned in the Army in the first place. Yet the fault is not in the men, but it is in the executive that put the law to the uses to which it has been put, by which the War Department is permitted to commission such men in that way. Are we to punish the men who are serving in other capacities in the Army, whose appointments and whose duties may not be related to these so-called "safety-first" soldiers at all? Is it fair to punish them because they are swept up into the same kind of a law by this amendment that you make for everybody?

Mr. HUMPHREYS. But the gentleman understands that this bill, just as it is, discriminates against the soldier who is sent out into the field to fight.

Mr. GREENE of Vermont. Exactly.

Mr. HUMPHREYS. It does not give him the commutation unless he has a family.

Mr. GREENE of Vermont. That is exactly what I undertook to indicate.

Mr. HUMPHREYS. While if he stays in Washington he gets commutation anyhow, whether he is married or unmarried.

Mr. GREENE of Vermont. If we were to get right down to good, common sense in the consideration of this legislation, and to apply the same rules that govern us in civil affairs, we would make commutation of heat, light, and quarters for all officers of the Army or for none.

Mr. HUMPHREYS. That is right.

Mr. GREENE of Vermont. There ought to be no distinction. It is the pay for the service performed. It is not in recognition of the domestic status of the man who happens to be earning that pay.

The CHAIRMAN. The question is on the amendment of the gentleman from Illinois.

Mr. ROBBINS. Can not the amendment be again reported?

The CHAIRMAN. Without objection, the amendment will again be reported.

The Clerk again read the amendment.

The CHAIRMAN. The question is on the amendment.

The question was taken; and on a division (demanded by Mr. KAHN) there were 29 ayes and 29 noes.

Mr. STAFFORD. I demand tellers.

The CHAIRMAN. The gentleman from Wisconsin demands tellers.

The question of ordering tellers was taken.

The CHAIRMAN. Nineteen Members have arisen, not a sufficient number.

So the amendment was rejected.

Mr. HUMPHREYS. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 2, line 3, after the word "thereof," insert the words "and commutation of heat and light."

Mr. STAFFORD. I reserve a point of order to the amendment.

Mr. HUMPHREYS. What is the point of order?

Mr. STAFFORD. That it is not germane.

The CHAIRMAN. The Chair will hear the gentleman from Wisconsin.

Mr. STAFFORD. Mr. Chairman, the bill before the committee seeks to amend the act of March 2, 1907, Thirty-fourth Statutes at Large, which in its place is an amendment of the act

providing for commutation of quarters found in the Twentieth Statutes at Large, page 151. The last-named act which is the first provision found in the law as to the allowance for commutation of quarters is in language as follows:

Sec. 9. That at all posts and stations where there are public quarters belonging to the United States, officers may be furnished with quarters in kind in such public quarters, and not elsewhere, by the Quartermaster's Department, assigning to the officers of each grade, respectively, such number of rooms as is now allowed to such grade by the rules and regulations of the Army: *Provided*, That at places where there are no public quarters, commutation therefor may be paid by the Pay Department to the officer entitled to the same at a rate not exceeding \$10 per room per month, and the commutation for quarters allowed to the general shall be at the rate of \$125 per month, and to the lieutenant general at the rate of \$70 per month.

I now call attention to the act which is referred to in this bill, and to which the matter directly relates—page 1169 of the Thirty-fourth Statutes at Large:

Barracks and quarters: For barracks and quarters for troops other than Seacoast Artillery, storehouses for the safekeeping of military stores, for offices, recruiting stations, to provide such furniture for the public rooms of officers' messes and such heavy permanent furniture for officers' quarters at military posts as may be approved by the Secretary of War and for the hire of buildings and grounds for summer cantonments and for temporary buildings at frontier stations, for the construction of temporary buildings and stables and for repairing public buildings at established posts, including the extra-duty pay of enlisted men employed on the same: *Provided*, That no part of the moneys so appropriated shall be paid for commutation of fuel or for quarters to officers or enlisted men: *Provided further*, That section 9 of an act approved June 17, 1878 (20 Stat. L., p. 151), be, and the same is hereby, amended to read as follows: "That at all posts and stations where there are public quarters belonging to the United States, officers may be furnished with quarters in kind in such public quarters, and not elsewhere, by the Quartermaster's Department, assigning to the officers of each grade, respectively, such number of rooms as is stated in the following table, namely: Second lieutenants, 2 rooms; first lieutenants, 3 rooms; captains, 4 rooms; majors, 5 rooms; lieutenant colonels, 6 rooms; colonels, 7 rooms; brigadier generals, 8 rooms; major generals, 9 rooms; lieutenant general, 10 rooms: *Provided further*, That at places where there are no public quarters commutation therefor may be paid by the pay department to the officer entitled to the same at a rate not exceeding \$12 per month per room: *Provided further*, That the number of and total sum paid for civilian employees in the Quartermaster's Department, including those paid from the funds appropriated for regular supplies, incidental expenses, barracks and quarters, Army transportation, clothing, camp and garrison equipage, shall be limited to the actual requirements of the service, and that no employee paid therefrom shall receive a salary of more than \$150 per month, except upon the approval of the Secretary of War, \$3,750,000."

Now, Mr. Chairman, the Chair will readily see the bill is amendatory of one provision of the statutes and that provision is limited to one subject matter, namely, commutation of quarters. Nothing in the bill or in the statute sought to be amended refers to commutation for heat and light.

The CHAIRMAN. The Chair would like to ask the gentleman a question. Is the provision of law providing for commutation for heat and light in a separate or distinct section of the act from the one providing for commutation for quarters?

Mr. STAFFORD. I can only answer the Chairman to this effect: That the section I have read is limited exclusively to commutation for quarters, and if there is any such provision for heat and light it is in some other section. I have furnished the Chair with the entire quotation of the statutes so that the Chair may be fully advised. If there is such provision of law as to commutation for heat and light, it must be in some other section. It is not in this section; and this bill is amendatory of this one section which relates entirely to commutation of quarters.

Mr. HUMPHREYS. Mr. Chairman, as to the law in the matter, I may be mistaken; but my information is that this section, which the gentleman just read, providing quarters is the only statute, and that under that commutation for heat and light has been allowed to officers, but it requires an appropriation to do it. I am further advised that it is the opinion of those who will be called upon to construe this law, perhaps, that this section as it stands now in the bill will give to these officers commutation for heat and light. It was simply to make that certain that I offered this. I take it that there can not be anything to the gentleman's point, for if we furnish quarters we surely have the right to make them comfortable. The statute which he read, as I understand it, is the only statute on the subject. I may be mistaken about that, but I am advised that it is the opinion of the Judge Advocate General of the Army that under this bill as proposed these officers would be entitled to commutation for heat and light, but in the appropriation bills we always provide that. I just want to make that certain which I was afraid might not be certain. For that reason I offered the amendment.

Mr. HAMILTON of Michigan. Mr. Chairman, will the gentleman yield?

Mr. HUMPHREYS. Yes.

Mr. HAMILTON of Michigan. There is no statute for the commutation of heat and light?

Mr. HUMPHREYS. I will not say that. I would say I have not been able to find one myself.

Mr. HAMILTON of Michigan. I wanted to be informed how in practice they apportion this commutation for heat and light.

Mr. HUMPHREYS. So much a room. A second lieutenant gets commutation for two rooms at \$12 each plus about \$8 for heat and light.

Mr. HAMILTON of Michigan. It is estimated it will take about so much to heat and light them?

Mr. HUMPHREYS. Yes; a captain gets four rooms and so on up. A general perhaps gets 10 or 12 rooms, and he gets the \$12 apiece commutation for 10 rooms and commutation for heat and light is proportionately greater.

Mr. HAMILTON of Michigan. That the gentleman thinks is a matter of practice and is not covered by any statute?

Mr. HUMPHREYS. I can only say that, in the limited investigation I gave the matter, I could not find the statute; and I have been advised that the Judge Advocate of the Army—he did not tell me this—is of opinion that this bill, if enacted into law, would comprehend commutation of light and heat. I remember this, that when we brought the National Guard officers here during the past 10 or 12 years in the Medical Corps to take this course that we authorized them to take, they were provided commutation of quarters, and they were paid commutation for heat and light, and in the course of time the Comptroller of the Treasury held they were not entitled to commutation for heat and light, and they had to pay that back into the Treasury. I tried to get an authorization for it, but I was unsuccessful; and that made me fearful that although the Judge Advocate General might think that this included heat and light the Comptroller of the Treasury might rule otherwise.

Mr. KAHN. Mr. Chairman, will the gentleman yield?

Mr. HUMPHREYS. Yes.

Mr. KAHN. The amount involved in the gentleman's proposition, after all, is of such a negligible character in the great expense of this war that the officers have not asked for that legislation.

Mr. HUMPHREYS. Well, the officers that I know of would like to be put on an equality at least in the matter of pay with the officers who stay here in the city of Washington, and, as far as I am concerned, I would like to put them at least upon an equality, and when we propose to pay these officers in Washington commutation of light and heat, I think, as a matter of simple justice, we ought to pay it to the men who are with the troops.

Mr. GARNER. Will the gentleman yield?

Mr. HUMPHREYS. I will.

Mr. GARNER. I was going to ask the gentleman—it is now half past 5 o'clock, and unless the gentleman wants to make a speech probably the Chair was ready to rule, and unless he desired to discuss the point of order—

Mr. HUMPHREYS. Is that an inquiry?

Mr. GARNER. I did not know whether the gentleman wanted to discuss the point of order any further; otherwise I would call for the regular order.

Mr. HUMPHREYS. I was directing my remarks to those whose sympathies are with the soldiers, who are sent to war even in preference to those who remain at home. I do not know whether my remarks were addressed to the gentleman from Texas or not. [Laughter.]

The CHAIRMAN. The question for the Chair to decide depends to a very large extent, practically entirely, upon the question of fact as to whether the commutation for light and heat is embodied in the law for commutation of quarters.

Mr. STAFFORD. If the Chairman will permit me, I will answer more definitely the query the Chairman directed to me—whether there was a separate statute for commutation of light and heat. I have in my hand a letter from the Auditor for the Navy Department, of whom I made direct inquiry as to this subject but not this immediate question, in which he cited my attention to the acts which I have directed to the Chairman's attention as being the only acts which relate to commutation of quarters. Those acts I have read in full to the Chair and the committee, and nowhere is there any reference in those acts to any commutation for light and heat.

The CHAIRMAN. As the Chair stated—

Mr. COOPER of Wisconsin. Mr. Chairman, in connection with the point of order, suppose an officer went from here to Chicago and we were simply to give him commutation of light, what good would it do him without his having quarters? Commutation of heat is nothing unless he has a house in which to put the heat, and it strikes me "commutation of quarters" ought to be construed to include commutation of light and heat.

The CHAIRMAN. The Chair was proceeding to state that the question was one very largely to be controlled by facts as to whether the provision for heat and light was in the same law with the provision for commutation for quarters. The Chair is frank to say he is not familiar with all the laws governing the Military Establishment. The Chair, however, has privately asked the chairman of the Committee on Military Affairs since this point of order was made if the provision for the commutation of heat and light was in a separate statute. The chairman stated he was of the opinion that the provision of law for the commutation of quarters carries with it commutation for heat and light, and that the provision for heat and light had been allowed by the auditors as incidents necessary and a part of the commutation of quarters. Accepting that as law, the amendment of the gentleman from Mississippi simply carries out what the law for commutation already authorizes, and therefore the Chair overrules the point of order.

The question is on the amendment offered by the gentleman from Mississippi.

The question was taken, and the Chair announced the ayes seemed to have it.

On a division (demanded by Mr. STAFFORD) there were—ayes 30, noes 14.

So the amendment was agreed to.

Mr. HASTINGS. Mr. Chairman, I move to strike out the last word. I do it for the purpose of asking the gentleman from California [Mr. KAHN] a question about the statement that he made a few moments ago, referring to regulations of the Army about supplying officers from the Quartermaster's Department with equipment, including clothing, and so forth. I was going to say I do not believe enough publicity has been given to it that I would ask him to make a statement in reference to this order.

Mr. KAHN. The Senate passed a bill to allow the Government to furnish Army officers with uniforms at cost. While that bill was pending in the House Committee on Military Affairs the War Department issued an Army regulation allowing officers to buy their uniforms from the Quartermaster's Department at cost.

Mr. HASTINGS. And that extends to all officers?

Mr. KAHN. Yes, sir.

Mr. HASTINGS. That is all.

Mr. HASKELL. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

On page 1, line 6, after the words "United States," strike out the words "who maintains a place of abode for a wife, child, or dependent parent," and after the word "furnished," in line 7, strike out the words "at the place where he maintains such a place of abode, without regard to personal quarters furnished him elsewhere," and after the word "sixty-nine," in line 12 on page 1, strike out the words "to be occupied by, and only so long as occupied by said wife, child, or dependent parent."

The CHAIRMAN. The question is on agreeing to the amendment.

Mr. STAFFORD. Mr. Chairman, I would like to ask the gentleman from New York [Mr. HASKELL] a question. I understand from the letter of the Acting Quartermaster General that under existing practice the maximum amount of allowance for quarters is \$737,500. His estimate is, if we pass this bill as reported by the committee—

Mr. HASKELL. Mr. Chairman, I can not yield for a statement. I want to discuss the amendment.

Mr. STAFFORD. I beg the gentleman's pardon. I thought the gentleman was going to yield the floor.

Mr. HASKELL. I would like to discuss the amendment.

Mr. Chairman and gentlemen, I feel, as the gentleman from Vermont [Mr. GREENE] stated here a little while ago, that we can not establish two systems of pay for Army officers or for Federal employees anywhere, any more than we should establish two schedules of pay for Members of Congress—one for those who happen to be married and another for those who happen to be single.

I personally know a great many men who went into the training camps, and who to-day are in the Officers' Reserve Corps. Their expense for uniforms has been large. Besides they pay for their own mess. It has been said here to-day that the equipment which they need preparatory to going abroad will amount to \$1,000. That may not be the exact amount, but, be that as it may, the claim for quarters or commutation thereof is a worthy one with reference to the officer in the Army, whether he is married or not. The expense which he has incurred and the sacrifice made by him in entering the service entitle him to it.

The pay of Army officers was fixed about 10 years ago. Since then, at a modest estimate, the cost of living has increased 50

per cent. Proof of this fact can be found by comparing the cost of the ration of 10 years ago with its cost to-day.

And I challenge the statement made here to-day that the men who accepted commissions in the Army are receiving a higher grade of pay than they were in civil life. I dare say that instead of receiving a higher rate of pay, if the figures were calculated they would show that the men who have commissions to-day in the Officers' Reserve Corps are receiving on an average less than 50 per cent of the pay which they received in civil life.

I know it to be a fact in reviewing the applications for admission to the training camps and in the consideration of applications for commissions in the Army in the War Department that the rate of pay, the earnings of the men per annum in civil life, has been one of the strong determining elements in the situation, because their earnings and success in private life would seem to be an excellent guide, if physically and morally fit, as to their prospective usefulness in the military service, and especially so when the Government has been able to obtain these men at 50 per cent and more less than their earnings before entering the military service.

The spirit of service and sacrifice, and not profit, has controlled these men who have accepted commissions. It has not been a matter of dollars and cents with them at any time as to whether they would serve in this war; but having commenced that service, something that was allowed and paid in the past should not be taken away, as has been the case with the allowance of commutation for quarters.

They have had their obligations at home; some have families, some of them have other dependents, and all of them have incurred large and unusual expense since entering the service.

It does not seem to me sound legislation that we, as the Congress of the United States, should grade the pay of officers on the proposition as to whether a man is married or single, whether he has a dependent, or otherwise, because then you would have to go further and consider how many dependents each officer has or how many children he has, and should he be married and have 12 children, you would have to give him a higher, larger, and more adequate compensation, and the difficulties and work involved would make the plan prohibitive.

So I think, gentlemen, we ought to establish one plan of pay, and give it to the single men, to the officers, whoever they may be, wherever they may be serving, and make them all alike and not give any advantage to the swivel-chair officer, as we have been doing. Give it to the man, preferably, in the field; but, as that does not seem practicable, treat them all the same irrespective of whether they be married or single, and I submit that this, the only fair and uniform, the only proper way to proceed in this matter, will be accomplished if the amendment proposed by myself is adopted.

Mr. WALSH. Will the gentleman yield?

Mr. HASKELL. I yield.

Mr. WALSH. Do I understand correctly when I understand the gentleman to say that 50 per cent of the men who have been commissioned are receiving less now than they did in civil life?

Mr. HASKELL. I have not the figures, but from the applications I have seen, and from men that I know, and applications I have seen submitted, I can say as to them, in every case where they were commissioned, that they are receiving not more than 50 per cent of the earnings which they were receiving prior to entering the service as commissioned officers.

The CHAIRMAN. The time of the gentleman has expired.

The question is on the amendment of the gentleman from New York [Mr. HASKELL].

Mr. HUMPHREYS. Mr. Chairman, I ask the gentleman from California if he is not willing to accept this amendment?

Mr. DENT. Mr. Chairman, may I say that I am willing to accept it?

Mr. STAFFORD. Can the chairman of the committee inform the members of the committee as to how much additional money will be required in case that is adopted? The gentleman from California [Mr. KAHN] once stated that the commutation of quarters for these officers under existing practice ran up to \$7,000,000; but as I read the letter of the Acting Quartermaster General, Gen. George W. Goethals, the maximum amount, as he estimates, under existing practice, is \$737,500. Am I right in that particular?

Mr. DENT. I was under the impression that the figures were different from that.

Mr. STAFFORD. I ask the gentleman's attention to the third paragraph of Gen. Goethals's letter, found on page 3, in which he says that the total amount will be \$737,500, and he estimates that if this bill is passed as reported it would cost \$33,850,000.

Mr. DENT. Passed in its present form, I recollect.

Mr. STAFFORD. How much additional will it cost to the Government if the amendment of the gentleman from New York is adopted?

Mr. DENT. It has been variously estimated at from \$50,000,000 to \$75,000,000.

Mr. STAFFORD. And the gentleman is willing to accept that amendment?

Mr. DENT. Yes. I will state frankly to the gentleman why I am willing to accept the amendment. It will put the bill into conference, and there, I hope, we can work out something that will be fair and equitable.

Mr. STAFFORD. Does not the gentleman think we should have a quorum present when we are determining a question that will involve an expenditure of \$50,000,000 or \$75,000,000 additional on the part of the Government?

Mr. DENT. That may be; but I would not look at it in that way. That is my feeling about it.

Mr. STAFFORD. Of course, the gentleman from Alabama may not have any feeling for the amount that is involved. I can say to him that I have some feeling for the Treasury when the amendment involves \$75,000,000, and I think there are some here who believe there should be a quorum present when such an amendment is adopted.

Mr. DENT. Well, I have never been close enough to the Treasury to have any feeling like that. [Laughter.]

Mr. HUMPHREYS. Mr. Chairman, I ask unanimous consent to address the House for five minutes.

The CHAIRMAN. The gentleman from Mississippi asks unanimous consent to address the House for five minutes. Is there objection?

There was no objection.

Mr. HUMPHREYS. Mr. Chairman, if this amendment is going to be accepted, I do not care to say anything; but I want to call attention to this fact: The gentleman from Wisconsin [Mr. STAFFORD] speaks about having some feeling for the Treasury. This amendment simply proposes to pay the officers who are sent to France to fight the battles of this war the same as we pay to officers who stay at home. [Applause.] That is all.

I hope that this House will have as much feeling for the men who go out on the battle field to die for the Republic as they have for the Treasury of the United States, which would not be worth a baubee if these men did not go out and sacrifice themselves for the perpetuity of this Government. I hope the amendment will be agreed to. [Applause.]

Mr. MOORE of Pennsylvania. Mr. Chairman, will the gentleman yield to me a moment before he takes his seat?

Mr. HUMPHREYS. Yes.

Mr. MOORE of Pennsylvania. It also means that we will pay the men in the various camps away from home now as much as we pay those detailed at the seat of Government?

Mr. HUMPHREYS. It means that we pay them all the same salary, wherever they may be. It puts them on an equality. It makes no discrimination against any of them. As the bill now stands it discriminates against the man who is sent away from home and put into the trenches. That can not be justified. I hope this House will vote for the amendment. [Applause.]

Mr. STAFFORD. Mr. Chairman, I ask for recognition in opposition to the pro forma amendment.

The CHAIRMAN. The gentleman from Wisconsin is recognized for five minutes in opposition to the pro forma amendment.

Mr. STAFFORD. Mr. Chairman, it seems to me the Members of the House to-day have no regard whatever for the taxpayers of the country, and that their only regard is for swelling the salaries, not of the enlisted men who are fighting our cause on foreign battle fields, but for the officers, that least deserve an increase in salary.

Mr. DYER. Mr. Chairman, will the gentleman yield?

Mr. STAFFORD. And they base their argument for that increase, or raid on the Treasury of the United States, involving perhaps an amount of \$100,000,000, upon an existing practice, localized in only a small portion of this country, which covers an expenditure of about \$700,000.

The committee addressed an inquiry to the Quartermaster General as to what would be the saving if the present practice were abandoned, so as to place all on an equality, and he stated that the present policy costs only \$737,000.

Many of the Members having received letters, very probably, from interested officers of the Army, and not satisfied with the extent to which the committee has gone by providing an increase of salaries to the officers aggregating \$33,000,000, now wish to have an amendment passed that will carry an additional \$50,000,000 to \$75,000,000 to be imposed upon the Treasury, without a quorum present.

Why, gentlemen, we are just launching upon the third liberty loan, and everywhere the people are responding generously to the call, and that call will be met. But there is going to be a limit to this policy of \$100,000,000 of appropriations to a certain favored class. There are many married enlisted men who are receiving the allowances allowed them by the war-insurance act.

This House took decisive action when that bill was under consideration, that under the compensation feature of the war-insurance act the widows of officers should receive no more than the widows of enlisted men, and now you are singling out officers, those of a special class, who are receiving high salaries as it is.

An instance has been cited as warrant for this raid of \$33,000,000, and now this additional raid of \$50,000,000 to \$75,000,000 more, of a lieutenant colonel who receives a salary of \$3,600 and who, because he is obliged to entertain abroad, is not able to send any allotment to his wife at home, and she is obliged to go to work for the small pittance of \$80 a month. That man ought to be ashamed of himself for allowing his salary of \$3,600 to be dissipated abroad and permitting his wife to work here for her and her children's support. If they can not present a better justification for this outrageous raid on the Treasury, this amendment should be defeated.

I am surprised at the gentleman from New York suggesting an amendment that involves an addition of \$50,000,000 to \$75,000,000, which in all will raise the fund to more than \$100,000,000.

Mr. PLATT. Will the gentleman yield?

Mr. STAFFORD. I yield.

Mr. PLATT. Does the gentleman think it is exactly fair, when a man is ordered into the field, when he risks his life, to cut down his pay?

Mr. STAFFORD. Oh, the officers with the true mettle in them are not thinking of their mere pay while they are fighting this war. They are not concerned about their pay. True, they will accept it if we vote it, but the officers generally are satisfied with conditions and are willing to accept those conditions as they are. But you are singling out the officers. You are not considering married enlisted men. Their wives are limited to the pittance of \$25 a month, or \$35 perhaps if they have children, but here are second lieutenants receiving \$1,700 a year, many of whom were not receiving as much as that in civil life.

Mr. PLATT. And many of them were receiving much more.

Mr. STAFFORD. And you are justifying your position entirely by the fact that there is an existing practice that costs the Government \$700,000 a year at the utmost and using that as an excuse to increase the appropriation more than a hundred times. This is extravagance run wild.

The CHAIRMAN. The time of the gentleman from Wisconsin has expired. The question is on the amendment of the gentleman from New York [Mr. HASKELL].

The question being taken, the Chairman announced that he was in doubt.

The committee divided; and there were—ayes 30, noes 25.

Mr. STAFFORD. I ask for tellers, Mr. Chairman.

Tellers were refused, 12 Members—not a sufficient number—rising in support of the demand.

Accordingly the amendment was agreed to.

Mr. DENT. Mr. Chairman, I move that the committee do now rise and report the bill to the House with the amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. CRISP, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (S. 3863) to provide quarters or commutation thereof to commissioned officers in certain cases, and had directed him to report the same back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The SPEAKER. Is a separate vote demanded on any amendment?

Mr. STAFFORD. Mr. Speaker, I demand a separate vote on the amendment offered by the gentleman from New York [Mr. HASKELL].

The SPEAKER. The gentleman from Wisconsin [Mr. STAFFORD] demands a separate vote on the Haskell amendment. The Chair will put the other amendments first.

Mr. DENT. Mr. Speaker, I would like to submit a request for unanimous consent. I have only one other bill on the list.

The SPEAKER. Had we not better get through with this one first?

Mr. DENT. I was going to submit a request in regard to it, and state the reason why. I have only one other bill on the list to-day and that is the bill which amends the draft act, excepting from the draft citizens of neutral countries who have declared their intention to become citizens of the United States. The bill is recommended by the President, by the War Department, and by the Secretary of State. Under the rule, if this bill should go over I could not get it up. So I ask unanimous consent that immediately after the reading of the Journal to-morrow the vote be taken on S. 3863, providing for commutation of officers' quarters, and that it then be in order to call up H. R. 9932, in regard to citizens of neutral countries.

The SPEAKER. The gentleman asks unanimous consent that the pending bill go over until to-morrow, in the status in which it is, and that the first thing after the reading of the Journal and the clearing up of the usual business on the Speaker's table this bill be voted on, and that H. R. 9932 shall be in order immediately after this bill is disposed of. Is there objection?

There was no objection.

ENROLLED BILL SIGNED.

Mr. LAZARO, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bill of the following title, when the Speaker signed the same:

H. R. 2316. An act to promote export trade, and for other purposes.

The SPEAKER announced his signature to enrolled bill of the following title:

S. 4102. An act granting the consent of Congress to the county commissioners of Bonner County, Idaho, to construct a bridge across the Clark Fork River in Bonner County, Idaho.

ADJOURNMENT.

Mr. DENT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 56 minutes p. m.) the House adjourned until to-morrow, Tuesday, April 9, 1918, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of the Treasury, transmitting a deficiency estimate of appropriation, payable from the postal revenues, required by the Post Office Department for expenses of mail bags and equipment, fiscal year 1918 (H. Doc. No. 1018); to the Committee on Appropriations and ordered to be printed.

2. A letter from the Acting Secretary of the Treasury, transmitting copy of a communication from the Secretary of War, submitting certain changes desired in estimates for the Yellowstone National Park for the fiscal year 1919 (H. Doc. No. 1019); to the Committee on Appropriations and ordered to be printed.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. LANGLEY: A bill (H. R. 11276) to relieve Congress from the adjudication of private claims against the Government; to the Committee on the Judiciary.

Also, a bill (H. R. 11277) for the payment of certain claims for difference between the pay in which service was rendered and the pay received growing out of service in the Army as reported by the Court of Claims; to the Committee on War Claims.

By Mr. KALANIANA'OLE: A bill (H. R. 11278) to appropriate \$50,000 for the erection of a fish hatchery and laboratory at Honolulu, Hawaii; to the Committee on the Merchant Marine and Fisheries.

By Mr. DYER: A bill (H. R. 11279) to protect citizens of the United States against lynching in default of protection by the States; to the Committee on the Judiciary.

By Mr. BURNETT: A bill (H. R. 11280) to regulate the immigration of aliens to the United States; to the Committee on Immigration and Naturalization.

By Mr. SLAYDEN: A bill (H. R. 11281) for additional buildings, equipment, and repair facilities, San Antonio Arsenal, San Antonio, Tex.; to the Committee on Military Affairs.

By Mr. KEATING: A bill (H. R. 11282) to regulate the employment of minors within the District of Columbia; to the Committee on the District of Columbia.

By Mr. PHELAN: A bill (H. R. 11283) to amend and reenact sections 4, 11, 16, 19, and 22 of the act approved December 23, 1913, and known as the Federal reserve act, and sections

5208 and 5209, Revised Statutes; to the Committee on Banking and Currency.

By Mr. SIMS: A bill (H. R. 11284) to authorize aids to navigation and for other works in the Lighthouse Service, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. KALANIANA'OLE: Joint resolution (H. J. Res. 277) extending to the Territory of Hawaii the same right that is given to the States of the Union to participate in the Federal funds for vocational education; to the Committee on the Territories.

By the SPEAKER (by request): Memorial of the Legislature of the State of Montana, urging need for legislation providing for the location, registration, classification, and proper assignment of labor; to the Committee on Labor.

Also, memorial favoring the passage of legislation to enable the President to make railroads make additions and improvements necessary for war purposes; to the Committee on Interstate and Foreign Commerce.

Also, memorial of the Legislature of the State of Montana, favoring the passage of amendment to the Constitution of the United States giving suffrage to women; to the Committee on Woman Suffrage.

Also, memorial of the Legislature of the State of Montana, favoring an appropriation of \$750,000 for the Flathead irrigation project; to the Committee on Indian Affairs.

By Mr. GALLIVAN: Memorial from the General Court of the Commonwealth of Massachusetts, requesting Congress to provide for the public ownership and operation of coal mines; to the Committee on Mines and Mining.

Also, memorial from the General Court of the Commonwealth of Massachusetts, in favor of free railroad transportation for soldiers and sailors in the service of the United States; to the Committee on Military Affairs.

By Mr. LUFKIN: Memorial from the General Court of the Commonwealth of Massachusetts, favoring free transportation for soldiers and sailors in the service of the United States; to the Committee on Military Affairs.

By Mr. ROGERS: Memorial from the General Court of the Commonwealth of Massachusetts, favoring free transportation for soldiers and sailors in the service of the United States; to the Committee on Military Affairs.

By Mr. TINKHAM: Memorial from the General Court of the Commonwealth of Massachusetts, favoring free railroad transportation for soldiers and sailors in the service of the United States; to the Committee on Military Affairs.

Also, a memorial from the General Court of the Commonwealth of Massachusetts, requesting Congress to provide for public ownership and operation of coal mines; to the Committee on Mines and Mining.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ALEXANDER: A bill (H. R. 11285) granting an increase of pension to John Mittlestedter; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11286) granting a pension to William T. Murphy; to the Committee on Pensions.

By Mr. ANTHONY: A bill (H. R. 11287) granting a pension to George Clark; to the Committee on Pensions.

By Mr. BURNETT: A bill (H. R. 11288) granting an increase of pension to Sarah Ann Cantrell; to the Committee on Pensions.

Also, a bill (H. R. 11289) granting an increase of pension to Francis M. Noojin; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11290) for the relief of heirs or estate of John Edwards, deceased; to the Committee on War Claims.

By Mr. CARY: A bill (H. R. 11291) granting a pension to Mary MacArthur; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11292) granting a pension to Ingoald Rugg; to the Committee on Pensions.

Also, a bill (H. R. 11293) granting a pension to Mariah Graves; to the Committee on Invalid Pensions.

By Mr. DENTON: A bill (H. R. 11294) granting an increase of pension to Joel Skelton; to the Committee on Invalid Pensions.

By Mr. EMERSON: A bill (H. R. 11295) granting a pension to Henry Thomas; to the Committee on Invalid Pensions.

By Mr. HAMLIN: A bill (H. R. 11296) granting a pension to S. H. Gurley; to the Committee on Invalid Pensions.

By Mr. JOHNSON of Kentucky: A bill (H. R. 11297) granting an increase of pension to Harvey Jackson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11298) granting a pension to Almer G. Logsdon; to the Committee on Pensions.

Also, a bill (H. R. 11299) granting an increase of pension to John H. Carter; to the Committee on Invalid Pensions.

By Mr. KENNEDY of Iowa: A bill (H. R. 11300) granting an increase of pension to Henry C. Hill; to the Committee on Invalid Pensions.

By Mr. KINKAID: A bill (H. R. 11301) granting an increase of pension to Daniel A. Larkin; to the Committee on Pensions.

By Mr. LANGLEY: A bill (H. R. 11302) granting an increase of pension to Joseph K. Dixon; to the Committee on Invalid Pensions.

By Mr. LITTLE: A bill (H. R. 11303) granting an increase of pension to Albert R. Emley; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11304) granting an increase of pension to Middleton Shockey; to the Committee on Invalid Pensions.

By Mr. POLK: A bill (H. R. 11305) for the relief of Edward H. Dennison; to the Committee on Claims.

By Mr. ROUSE: A bill (H. R. 11306) granting a pension to Kenzie Lovelace; to the Committee on Pensions.

Also, a bill (H. R. 11307) granting an increase of pension to J. M. Wilson; to the Committee on Invalid Pensions.

By Mr. SAUNDERS of Virginia: A bill (H. R. 11308) granting a pension to Charles A. Baldwin; to the Committee on Pensions.

By Mr. SELLS: A bill (H. R. 11309) granting an increase of pension to Henry Davis; to the Committee on Invalid Pensions.

By Mr. STRONG: A bill (H. R. 11310) granting a pension to Clara R. Wilson; to the Committee on Pensions.

By Mr. SULLIVAN: A bill (H. R. 11311) granting an increase of pension to Alpheus N. Barnhouse; to the Committee on Invalid Pensions.

By Mr. TINKHAM: A bill (H. R. 11312) granting an increase of pension to Leverett C. Felch; to the Committee on Invalid Pensions.

By Mr. WARD: A bill (H. R. 11313) granting an increase of pension to Horatio T. Smith; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11314) granting a pension to Almira York; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER (by request): Petition of R. E. Lee Freese, Fayette, Mo., calling the attention of Congress to the deserving person who wants to rent land; to the Committee on Agriculture.

Also, resolution of the Interstate Association of Building Contractors, pledging the support of the Middle West in the war and asking for the appointment of a representative from that section on the war emergency construction board; to the Committee on Military Affairs.

Also, resolution by the Presbyterian and Reformed Churches, of Washington, D. C., asking for a national day of fasting and prayer; to the Committee on the Library.

Also, petitions of Franklin District Farm Club and others, of Missouri, asking that a price for corn be fixed; to the Committee on Agriculture.

Also, petition of American Defense Society, relative to letter of United States Commissioner of Education; to the Committee on Education.

Also, petition of Louis A. Cuvillier, relative to Republics of the United States and France; to the Committee on Foreign Affairs.

Also, memorial of Friends of Our Nature Landscape, relative to appropriation for bureau of national parks; to the Committee on the Public Lands.

Also, petition of United Irish Societies of New York, asking freedom for Ireland; to the Committee on Foreign Affairs.

Also, petition of C. A. Riek, of Hermann, Mo., against chaplains in Army, etc.; to the Committee on Military Affairs.

By Mr. CARY: Petition of the Public Utilities Commission of the District of Columbia, against allowing the Washington, Baltimore & Annapolis Electric Railway Co. to build loop at New York Avenue, Thirteenth and H Streets NW.; to the Committee on the District of Columbia.

Also, memorial of Wisconsin Daily League, against increase in second-class postage; to the Committee on Ways and Means.

By Mr. DALE of New York: Resolution of the Alabama State Highway Conference, urging the National Government to build more and better highways; also indorsing the Chamberlain-Dent

bill calling for Federal planning of military roads; to the Committee on Roads.

By Mr. DILLON: Resolution of the South Dakota Life Underwriters' Association, favoring universal military physical and military training; to the Committee on Military Affairs.

By Mr. ELSTON: Petition of St. John's Presbyterian Church, Berkeley, Cal., for the passage of a bill to prohibit the manufacture of any kind of food into any kind of alcoholic drink; to the Committee on the Judiciary.

By Mr. ESCH: Resolution of the Wisconsin Daily League, opposing the periodical postage provisions of the war-revenue act and suggesting amendment; to the Committee on Ways and Means.

By Mr. FOSTER: Petition of Central Church of Christ, to repeal the increased rate of postage on magazines, etc.; to the Committee on the Post Office and Post Roads.

By Mr. GALLIVAN: Resolution of the Alabama State Highway Conference, asking for more and better road building by the National Government; to the Committee on Roads.

By Mr. OSBORNE: Petition of Mrs. Margaret Nelson, Los Angeles, Cal., for relief from excessive, exorbitant, and unjust policy assessments; to the Committee on the Judiciary.

Also, memorial of Stanton Post, No. 55, of California and Nevada, Grand Army of the Republic, located at Los Angeles, Cal., requesting Congress to unite the suggested memorial holiday proposed for May 9 with the present national Memorial Day, May 30, to the end that the heroic service of our comrades who preserved the Union may not be lost to history; to the Committee on the Library.

By Mr. RAKER: Petitions of Everwear Manufacturing Co., Makins Produce Co., the Elkus Co., Hooper & Jennings, and Coffin, Redington Co., in vigorous support of Senate bill 3962; to the Committee on Ways and Means.

Also, resolution of the executive committee of the Authors' League of America, in opposition to the zone system as applied to second-class mail matter; to the Committee on Ways and Means.

Also, petition of the Mendota (Ill.) Woman's Club, protesting against the zone system and asking for its immediate repeal; to the Committee on Ways and Means.

Also, petition of H. Tillman and 35 others, of Jenny Lind, Cal., favoring war prohibition; to the Committee on the Judiciary.

Also, petition of Langley & Michaels Co., San Francisco, Cal., relative to Senate bill 3962, providing for monthly installments for payments of income and excess-profits taxes; to the Committee on Ways and Means.

Also, petition of Pacific Electric Railway Co., relative to provision made in war-finance bill for financing public utilities having maturities coming due; to the Committee on Ways and Means.

By Mr. STEENERSON: Petition of Fargo (N. Dak.) College, urging amending war-revenue law with reference to legacies and inheritances; to the Committee on Ways and Means.

Also, petition of citizens of Frazee, Minn., against House bill 128, relative to interference with religious liberties, etc.; to the Committee on the District of Columbia.

Also, memorial of citizens of Fergus Falls, Minn., favoring compulsory military training; to the Committee on Military Affairs.

By Mr. WOODYARD: Petition of the Rotary Club of Huntington, W. Va., favoring the enactment of a law changing the time of payment of income and excess-profits taxes; to the Committee on Ways and Means.

SENATE.

TUESDAY, April 9, 1918.

(Legislative day of Saturday, April 6, 1918.)

The Senate met at 11 o'clock a. m.

The Vice President being absent, the President pro tempore assumed the chair.

PUNISHMENT OF SEDITIOUS ACTS AND UTTERANCES.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 8753) to amend section 3, title 1, of the act entitled "An act to punish acts of interference with the foreign relations, the neutrality, and the foreign commerce of the United States, to punish espionage, and better to enforce the criminal laws of the United States, and for other purposes," approved June 15, 1917.

The PRESIDENT pro tempore. The Secretary will report the pending amendment of the committee as amended.